

I. F. Stone and Abbie Hoffman

[MORE]

A Journalism Review

June
1972
75¢

Reports on:

**The Counter-Convention,
The Publishers' Meeting,
The Wave of Challenges
Threatening Television**

Plus: Esquire and Israel

Will Earl Caldwell Go to Jail?

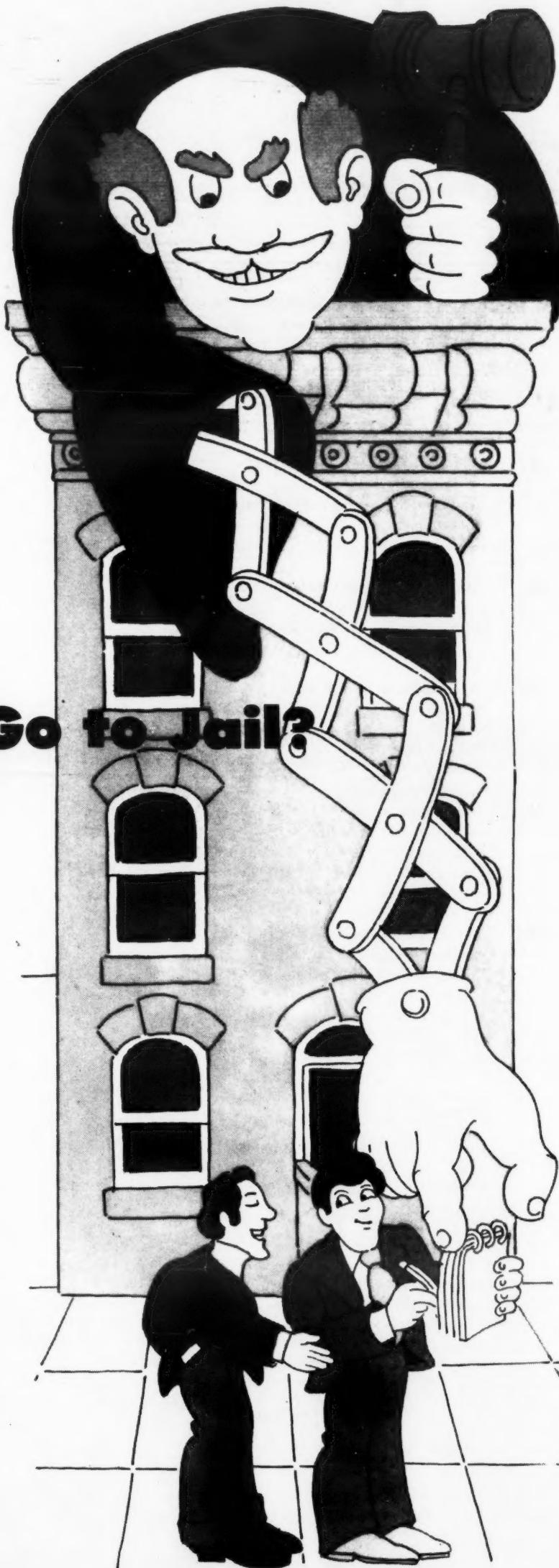
BY FRED P. GRAHAM

On a Monday morning between now and late June, Chief Justice Warren E. Burger will nod his fine white head toward one of his colleagues behind the Supreme Court bench (or, less likely, he will designate himself) and will say: "The judgment and opinion of the Court in number seventy-five-seventy-seven, United States versus Caldwell, will be announced by Mister Justice ——."

Predicting that, or any Supreme Court decision, is a hazardous business. But Richard Nixon has packed the Supreme Court carefully according to his conservative tastes, and few who were in the courtroom when the Caldwell case was argued last February came away with the impression that the Burger Court would decide it in a way that journalists would like. Reporters invariably suck wind when they hear this, because Caldwell, *The New York Times* reporter who told Attorney General John Mitchell's gumshoes he would not obey a subpoena to give a grand jury inside journalistic information about the Black Panther Party, has become the press' symbol of resistance to subpoenas. His victories in the lower courts has stiffened journalistic backbones—and those of sources—across the country. Now, the prospect that those lower court decisions may well be overturned is, in the fashionable parlance of the First Amendment, a chilling one for reporters.

The fact is, though, that Earl Caldwell's case is only the most celebrated element of a legal development that has come to be known as the "Caldwell principle"—the doctrine that the First Amendment protects newsmen from compelled testimony that damages their capacity to gather news. There are peculiarities about his case that make it one of the most extreme applications of this doctrine. And so it is entirely possible that the Supreme Court could rule against Caldwell and still establish a newsmen's privilege that would amount to a revolution in First Amendment rights. This is possible because two other cases raising the "Caldwell principle" will be decided along with his. Some Court-watchers believe that out of these rulings could emerge a broader First Amendment newsmen's privilege than journalists—and their lawyers—would have dared to hope for five years ago. What has happened is that Earl Caldwell has asked the Supreme Court to recognize a new Constitutional right, and at the same time to extend the rule to its logical extreme. For the Supreme Court, that is the equivalent of moving forward with blinding speed, and for a Court that is scrambling to get into reverse on many issues, the prospects for success are not good.

To appreciate Caldwell's position, it is instructive to consider
(continued on page 14)



(MORE)

Editor
Richard Pollak

Publisher
William Woodward III

Designer
Samuel N. Antupit

Assistant Editor
Terry Pristin

Business Manager
Tom Reeves

(CONTENTS)

1. Will Earl Caldwell Go to Jail?

by Fred P. Graham

Fred Graham covers the U.S. Supreme Court for *The New York Times*.

3. After the Counter-Convention

by Richard Pollak

Richard Pollak is the editor of (MORE).

5. Meanwhile, at the Waldorf-Astoria . . .

by Tom Buckley

Tom Buckley has been a reporter for *The New York Times* since 1953.

8. The People v. the Wasteland

by Peter A. Lance

Peter Lance graduates this month from the Columbia University Graduate School of Journalism.

10. The Feminists v. WABC-TV

by Judith Adler Hennessey and Joan Nicholson

Judith Adler Hennessey and Joan Nicholson are officers of the New York chapter of the National Organization for Women.

12. Big Apple

17. Letters

Illustrations: Marty Norman, page 1; Jill Krementz, pages 4 and 5; Robert McElroy, *Newsweek*, page 6; Jerry Zimmerman, page 8; Frank Mell, page 11; Hiroshi Morishima, page 12.

(MORE) Volume 2. Number 6 is published by Rosebud Associates, Inc. Subscription rates: 1 year, \$7.50; 2 years, \$14.00; 3 years, \$17.00. Subscription blanks appear on the back page. All subscriptions and other mail should be addressed to:

P.O. Box 2971
Grand Central Station
New York, N.Y. 10017

Copyright © 1972 by Rosebud Associates, Inc. Nothing in this publication may be reproduced in any manner, either in whole or in part, without specific written permission from the publisher. All rights reserved.

(HELLBOX)

Rosebuds to Thomas N. Bethell, founder and editor of *Coal Patrol*, an incisive and much-needed newsletter of investigative reporting and commentary on the coal industry and its supposed regulators. *Coal Patrol*, which Bethell produces himself out of an office in the National Press Building in Washington, was first issued in the fall of 1970 and now appears "whenever I can get it out—usually every three weeks." In an impassioned and eloquent style that eschews rhetoric, Bethell brings to his 2,000 readers, most of them miners, news of coal-related developments in Washington. With extensive documentation, he reports on the influence of the coal companies on the Bureau of Mines and exposes the corruption, inefficiency and lassitude of the mineworkers' union.

Among the many abuses he has investigated was a pilot effort by the bureau to train members of minority groups as miners, which he revealed as "an industry-inspired scheme to funnel cheap labor into the coalfields and undercut growing militancy among miners." In another issue, Bethell took on Harry Treleaven who, after having completed a lucrative consulting job with the Interior Department, tried to initiate a boondoggle for himself—a costly public relations campaign aimed at convincing people that "if miners would just shape up and watch what they were doing, they wouldn't get killed." Earlier this year, *Coal Patrol* provided case histories of mining deaths, "not for melodrama, not for muckraking either; but just because too many people, especially in Washington, are too prone to think of mine fatalities simply as statistics."

Coal Patrol receives some foundation assistance, but it is supported mainly by subscriptions and by small donations from the miners themselves. The three most recent editions were devoted to the little-publicized flood last February of Buffalo Creek in Logan County, W. Va., in which perhaps as many as 150 persons died and thousands more lost their homes. President Nixon called the flood a "natural disaster," but in *Coal Patrol* and in an article co-authored with Davitt McAtee in the May *Washington Monthly*, of which Bethell is a contributing editor, the blame for the tragedy is placed squarely on the Pittston Company, the nation's second largest coal producer. So far, there are no indications that the government is planning to take action against Pittston, accused by Bethell and McAtee of being a lavish spender where its own executives are concerned, yet a miser when it comes to mining safety.

This month Harper & Row is publishing Bethell's monograph on a 1970 disaster in eastern Kentucky, entitled *The Hurricane Creek Massacre*.

Israel Bonds

In the June *Esquire*, a house ad on page 79 promises readers an article on "Meyer Lansky, Expatriate" in an upcoming issue. "The former financial wizard of the American underworld is alive and fairly well-off in Israel," reads the copy. "Does he miss America? Sidney Zion reports from the Land of Milk and Honey." It would be a mistake to look forward to the piece in *Esquire*, however, for the magazine's management has overruled its editors and killed it. "They did not share our enthusiasm for the article," says editor Harold T. P. Hayes.

Hayes refused to say why the article was spiked and John Smart, chairman, A. L. Blinder, president, and Arnold Gingrich, publisher, all seemed to be hiding under their desks when (MORE) called to get management's side of the story. Sources inside the magazine, however, made it clear that *Esquire*'s predominantly Jewish ownership was offended by some of Zion's criticism of Israel. In the piece, for example, former Scanlon's editor Zion accuses the Israelis of denying Lansky citizenship and trying to deport him because of how it would look if they did not. "For what more abject kowtowing to the goyish world," writes Zion, "can be conjured up than to say that we will vomit up our gangsters to impress you with our goodness." Zion contends, as do many Israelis, that Lansky should be permitted to stay in Israel under the Law of Return, which guarantees sanctuary to all Jews. "I liked the piece very much," says *Esquire*'s managing editor Don Erickson, who had the unenviable task of calling Zion and telling him the piece had been rejected. (The magazine paid the author \$200 in expenses and \$750 for his labors.)

"The piece never had a chance," says one insider. "John Smart and the Smart Family Foundation give upwards of \$100,000 a year to the United Jewish Appeal and are committed supporters of the State of Israel." Asked just who is editing the magazine these days, Harold Hayes

(continued on page 16)

After the Counter-Convention

BY RICHARD POLLAK

I am 38 years old. And like most journalists my age or older I grew up with the notion that cynicism was a fundamental credential for the skillful practice of my profession. Long before I ever entered a city room myself, I was persuaded by the rumpled *demi-literati* who passed through my home on the South Side of Chicago (could they all have talked out of the sides of their mouths?) that the world was populated largely with thieving city councilmen, war-mongering congressmen, venal businessmen and rascality in general. The newspaper game, as it was then called, was every bit a part of this bleak scene, the chief villain in my bailiwick being a presence named Colonel McCormick, who, I gathered quite early on, spent his afternoons high in the Tribune Tower eating babies.

Secure in this dark vision of the universe, I set out on my career determined to enlarge my byline at every step and convinced that the know-nothings or the petrified would always be in charge. Such cynicism (healthy cynicism it is sometimes called) must have an outlet, though. So I bitched. At the *Worcester (Mass.) Telegram*, where I broke in, I bitched. At *The Evening Sun* in Baltimore, where I covered politics, I bitched. At *Newsweek*, where I tried to write about the press, I bitched. So did almost all of my colleagues along the way. We did it at our desks, in the cafeteria, in bars, at parties, to our wives and husbands, to anyone who would listen. It is safe to say, I think, that in no occupation is bitching quite so endemic as in journalism. Some of this bellyaching stems from the inevitable inequities and ego clashes of any enterprise, large or small. But most of it is triggered by the nagging realization that right now, today, in the newsroom in which one is sitting, the talent and energy is available to make a journalism that might not drive one to the nearest saloon at the end of the day. And the unmistakably clear message of the A. J. Liebling Counter-Convention is that journalism's talent and energy is primed as never before and that the bitching must stop.

"My God, I thought there would be about four people here," said Paul Jacobs, the West Coast radical writer who flew in to tell his tales of harassment by the FBI. We had expected a slightly larger turnout than that. But when we sat down to plan the counter-convention, none of us at (MORE) even suspected that when April 23 and 24 came around some 3,000 journalists and journalist-watchers would show up at the Martin Luther King Labor Center on Manhattan's West Side. Most, of course, came from the New York area and elsewhere on the East Coast. But an astonishingly large minority made it from points all over the country—like Dave Fitzpatrick and Robert Cherry, who came in from Phoenix despite the frowns of their managing editor at *The Arizona Republic*, and Marilyn Kuehler, who paid her own way round-trip from Hawaii where she is family editor of *The Honolulu Advertiser*. For two days and two nights, they jammed into the center—sometimes as many as 1,500 at a time—to listen and debate as nearly 100 panelists catalogued the shortcomings of American journalism, both print and electronic.

Inevitably, there were some basic complaints about the event, too. Many blacks and women felt they were under-represented on several of the panels. The Vietnam Veterans Against the War thought a panel should have been set up to deal specifically with the media's coverage of the conflict (though discussion of the war was hardly muted during the two days). And the underground press felt shut out altogether, an oversight on our part that they first sought to rectify by threatening to break up the convention but that was amicably settled by adding underground members to a half-dozen panels.

Doubtless there were other weaknesses, too. But even most of the counter-convention's severest critics conceded that the gathering held considerable significance for the future of the profession. For despite all the star-gazing ("Gee, I thought Dan Rather was much taller than that," exclaimed one disappointed young woman as the CBS White House correspondent took his place on the panel exploring how politics is covered), despite occasional grandstanding and panel-baiting by some in the audience that turned more than one session into a Happening, and despite a good deal of talk that can charitably be described only as bullshit, the sense of enthusiasm and questing was altogether contagious.

Around midnight of the second day, after I. F. Stone had spoken both sentimentally and eloquently upon receiving the first annual A. J. Liebling Award (see page 4), and after the final panel had ended, my old friend Philip Evans grabbed me by the arm. Phil and I had groused together for five years on *The Evening Sun* in Baltimore and he has spent the better part of two decades trying to get newspapers to make sense, now as an editor at *The Evening Bulletin* in Philadelphia. "I've been to almost all the discussions over the last two days and I've heard almost nothing

new," he told me as I sagged wearily in my chair. "But never have I felt such a sense of excitement, such a sense of hope in the profession. It's incredibly encouraging."

There is, of course, very little new to say. What matters, what is now so different, is that the legitimate grievances of the working journalist are being aired not in private gripe sessions but openly and with an increasing insistence on confrontation. There, at a panel on sexism, racism and elitism in journalism, was Roger Wilkins, just become the first black editorial writer at *The Washington Post*. He warned that the paper had to do a much better job in hiring, promoting and understanding the problems of blacks, while his publisher, Katharine Graham, who had come over from the Waldorf, stood in the back of the room. There was Tom Wicker, speaking at the convention lunch only a block away from the *Times*, urging his young audience to abandon so much of what has been for decades fundamental at the *Times* and at other established media: the heavy reliance on official sources, the front-page mentality that "imposes such a deadly sameness on our newspapers," the "spurious objectivity" on which so many editors insist.

"The future of journalism," said Wicker, "doesn't belong to some change in style, important as style is for writing. It doesn't belong to something called 'advocacy journalism,' some kind of political revolution in our craft. If I could suggest a motto to journalists today, particularly to those who are younger than I and who have a lifetime ahead of them in this field, I would say that what our work needs is to really let its vitality come through, to let its honesty come through, to let the abilities we have come through—to let a hundred flowers bloom. We should beware of new orthodoxies substituted for old orthodoxies, beware of reforms within the field that set up new rules and new procedures to substitute for the rules and procedures that are stifling us now... We must insist that somehow we have got to be set free to do our best work."

How to achieve that freedom? Several panels grappled with that question, most notably the one on "democracy in the newsroom." Just trying to define the phrase took a good part of the two-hour session. To Leo Sauvage, the New York correspondent for *Le Figaro*, which like *Le Monde* has top editors approved by the staff, it means "being left alone to write what I want." To Ron Dorfman, editor of the *Chicago Journalism Review* and founder of this movement, it means "placing the intellectual responsibility for a story where it belongs, in the head of the reporter." To Morton Mintz, the veteran muckraker on *The Washington Post*, it means "a systematic mechanism under which reporters and editors can meet with the top people and ask them why." To John McCormally, who is about to hire a new managing editor for the newspaper he publishes and edits, *The Burlington (Iowa) Hawk-Eye* (circulation: 22,000), it means putting the candidate in a hotel suite with the paper's 16 staff members and letting them cross-examine him or her until a majority is convinced that the applicant should be hired or rejected. "I don't think of this as something dangerous, radical or courageous," said McCormally. "If the applicants can't sell these people ahead of time, I don't think they're going to succeed anyway. I'm a little apprehensive because the sense I get is that the staff is sort of upset at having all this responsibility thrust upon it."

All agreed that the very minimum goal was to give working journalists a substantial voice in the decisions traditionally reserved for ownership alone. Charles A. Perlik, Jr., president of The Newspaper Guild, insisted that such a fundamental political change could only come about by collective bargaining through the union. And he maintained that the guild was ready and willing to provide the muscle, a promise that drew a good deal of ridicule from journalists in the room. Most regard the guild as one of the weakest labor organizations in the country, an industrial union that includes not just journalists but advertising salesmen, telephone operators and janitors as well, and whose interest is solely in getting more money out of publishers.

When the Chicago local asked Field Enterprises (*Chicago Sun-Times* and *Daily News*) to set up a news policy committee on which the staffs would be represented with management (one of several "voice in the product" requests), the proposals were held up by the contracts committee of the international. Only after local representatives flew to Washington for a day at their own expense to argue their case were the proposals rescued. "The guild is always worrying about management prerogatives," said Dorfman. "Why not let management worry about that." Whatever the guild's weaknesses, however, many feel that it offers the only apparatus for gaining any meaningful leverage with the owners. John O. Linstead, a reporter on the *Daily News* and one of the Chicago bargainers, said that it

"became quite apparent in Chicago that the guild is crucial. But it has to open up, it has to come a long way."

When the panel ended (inconclusively, like all the rest), Dorfman and the Chicago contingent urged that some sort of plenary be set up to try and harness and give focus to the commitment that was building. The result was two late-night sessions that drew a hard core of about 50 participants. The informal chairman of these was Lance Tapley, a young free-lance writer and former reporter on the *San Francisco Chronicle*. Tapley and a few others pushed hard for the establishment of a national organization to seek reform in journalism. (Only a week before, Ralph Nader, speaking at a luncheon for the annual Robert F. Kennedy Journalism Awards, had suggested that a Center for Journalistic Policy be set up in Washington.) The majority, those of us at (MORE) very much included, felt that the last thing journalism needed was yet another large organization. The profession is too diverse, the problems too varied. Reform goals at WCBS are long-established facts at WBAI. The needs of reporters at the *New York Post* are a good deal different than those at *The Wall Street Journal*. Still, some sort of minimum standards should be set up, and in the end that's what the gathering decided to try and do.

As a first move, a steering committee was established that includes representatives from the dozen journalism reviews around the country and several others, including Tapley, the guild's Perlitz and James Higgins, former editor of the *York (Pa.) Gazette & Daily* and now a visiting lecturer at Boston University's School of Public Communication. Tapley and Higgins are co-chairmen of the group. In the week following the counter-convention, a declaration was drafted outlining the fundamental requirements of any serious reform in American journalism, among them:

- that journalists must be free to do their best work;
- that editors must be free to edit but not to censor, and journalists must be as free from censorship and arbitrary interference by management as management is free from censorship and interference by government;
- that the only proper standards of journalism are accuracy, excellence, newsworthiness and taste, the first two to be interpreted strictly, the last two freely;
- that because all journalists are degraded when one is shelved or blacklisted, and all are censored when one is censored, arbitrary discrimination against one's colleagues will not be tolerated.

The full draft—and that is all it is at this stage—has been sent to members of the steering committee and, if approved, will eventually go to all those who attended the two plenary sessions at the counter-convention. The ultimate goal is to get as many of the country's journalists as possible to sign the final document and then to convene again to better delineate how to secure the goals of the declaration.

None of this will be easy. Nor is it without certain risks, particularly where reformers constitute a small minority. Management's ability to pick off a few dissidents hardly needs documentation. But where collective action can be mustered, it usually works—as seven black reporters are demonstrating at *The Washington Post* (see Letters, page 17). The A. J. Liebling Counter-Convention showed that the possibility for reform has never been so great. All that remains is for enough working journalists to seize the opportunity.

"As Soon As You Want Something . . ."

Editor's note: Following is a condensation of the remarks delivered at the counter-convention by I. F. Stone upon receiving the first annual A. J. Liebling Award "for his commitment, carried on single-handedly over two decades, to independent and unrelenting investigation of public and private power in America and his defense of individual liberty."

One of the things we have to guard against in crusading journalism is a tendency to over-personify the evils of our time. People like to pile these evils, and even all their own misdeeds of commission and omission, on a few people and sort of hang them vicariously. It makes them feel better. It cleanses their souls. The most important thing is to help in the search for understanding. And the biggest part of the search for understanding is not the exposé of wicked men or evil men or crooked men. They're pretty much permanent parts of the human landscape. Much more important is to help ourselves understand the tremendous power of institutions over men. If you go over to the Pentagon and talk to people, you don't meet monsters. You meet guys like me and you that are



Jill Krementz

unlucky enough to have to earn their bread and butter in that damned Pentagon. And it's important to understand how people are trapped by institutions, what institutions do to them, because the path to a better society is the destruction of those institutions. And merely changing the men in them or merely hating the men in them will not get us very far.

* * *

The Establishment is full of such stuffed shirts and so much crap that it really deserves to be treated disrespectfully. But I would make a couple of pleas. And one is: there are always half a dozen ways to write the same story, so there's no use trying to impress your pattern onto anybody else. A journalist should be committed to the big issues of his time and not stand aside from them. But at the same time he ought to be careful not to get himself committed to any specific party, any specific group, because sooner or later his hands will be tied when he tries to tell the truth, the whole truth, and he'll become the instrument of one crowd.

And I think the other thing we have to keep in mind is that freedom, the freedom that is our life, the freedom of the press, is so important to our society. This has philosophical premises. That is, if you really know the truth, if the truth is really something so damned simple that you can pick it off a table and put it in your pocket, there's no reason to disseminate error. The only reason for letting people speak freely—and that means telling lies and half-lies—is because our basic premise is that the truth is something so complex and the search for it so infinite and so wonderful that nobody has the full measure of it. And so every point of view plays some part in the fuller understanding of what we're up against. And we're up against a whole series of fundamental problems to which we have no answers. There are no ready-made answers. And what's so wonderful about the kids, compared to their grandfathers, is that they know there are no answers and they're willing to act and to fight and to search and to move without a clear blueprint, knowing that we're in a wilderness.

* * *

It's just wonderful to be a pariah. I really owe my success to being a pariah. It is so good not to be invited to respectable dinner parties. People used to say to me, Izzy, why don't you go down and see the Secretary of State and put him straight. Well, you know, you're not supposed to see the Secretary of State. He won't pay any attention to you anyway. He'll hold your hand, he'll commit you morally for listening to you. To be a pariah is to be left alone to see things your own way, as truthfully as you can. Not because you're brighter than anybody else is—or our own truth so valuable. But because, like a painter or a writer or an artist, all you have to contribute is the purification of your own vision, and add that to the sum total of other visions. To be regarded as non-respectable, to be a pariah, to be an outsider, this is really the way to do it. To sit in your tub and not want anything. As soon as you want something, they've got you!



Jill Krementz

For Immediate Release

Editor's note: Among the participants at the counter-convention panel on "How They Cover Me" was Abbie Hoffman. Some of his observations, edited for space, follow:

I have a theory that there's no such thing as "news," that news is a very high-falutin' word, and that if we destroyed it in our minds and substituted instead the word "gossip," we would have a correct appraisal when we turned on the television set or opened up *The New York Times*. I think there's nothing in our education, in our background, in the imagery that we're confronted with, that allows us to equate Rex Reed and Walter Cronkite or Rona Barrett and Eric Sevareid; but in fact, I think their similarities are much more exciting to examine and realize than their differences. It's kind of hard to consider Eric Sevareid as the local gossip leaning over the fence and saying, "D'ja hear what happened at Mitty's today?"

As far as how the media cover me, well, you know, in my thing, you have good years and you have bad years. In 1971, I did a thing that was unusual and probably people who are well-known shouldn't

do—I got a press-clipping service. . . And all of a sudden, this is me, 1971 holds up bag of clippings . . These clippings started to pour in from all over the country. And I did something I've always wanted to do: I wrote a news release based on all the clippings. And even though I knew that every single clipping, everything that I'm going to read you, is totally fabricated, I took every error and put them into the release. And we're not talking about *Screw* magazine and the *National Enquirer*. I'll list the sources for you at the end and you'll get an idea of how Rona Barrett and Eric Sevareid actually are the same person. I've put it in the language of the press:

Six-foot-two-inch blond-haired Miss Abbie Hoffman, 39, one of this country's most famous Communist leaders, has been leading a baffling life this past year. The millionaire hippie has certainly undergone a radical transformation. 'Everytime I see Hoffman, he's wearing a \$400 suit,' says a bookstore attendant who used to know him. Hoffman, who resides in a fashionable East Side penthouse with his common-law wife and their newborn baby girl, has been living it up in nightclubs lately. In swinging Elaine's he was recently seen hobnobbing with Candy Bergen. In offbeat Max's Kansas City, Abbie and cohort Jerry Rubin were observed drinking it up with ex-Beatle John Lennon and Yoko Ono. The Lenongs gave the Yippie leaders \$25,000 in cash, allegedly for underground fugitives. Hoffman's drinking is not confined to Manhattan. Reports also mention a heavy bout with ex-Lyndon Johnson aide, George Reedy, in a swank Chicago hotel.

Hoffman's anti-establishment views have broadened since his conviction on assault and battery in the now famous Chicago Seven trial—they were acquitted of the main charge of crossing state lines to incite riot. He recently has written a handbook on theft, advising that young people steal everything in sight. Hoffman, when put to the test, however, himself said if someone stole from him, he'd certainly call the police. The radical author himself, it seems, is not above a little grand larceny. It's clear he stole the book from a fellow East Village radical, Isaac Haber, who is suing Hoffman for damages. In another dispute, Hoffman is being tried in a people's kangaroo court. After three weeks of the people's tribunal, the judge has ruled Hoffman guilty as charged and ordered him to pay \$20,000 in cash.

Hoffman's anti-establishment views have broadened since his conviction on assault and battery in the now famous Chicago Seven. After the decision, Hoffman in a speech in Madison, Wisconsin, said he was quitting being a radical and that young people should work within the system for change. 'I think it's super to vote,' he exclaimed. That wasn't the only change: Hoffman exhibited his new hairdo—a closely cropped crewcut—and told the audience they should all cut their hair.

All these mistakes came from *The New York Times*, *New York Post*, NBC-TV, CBS-TV, *The San Francisco Chronicle*, *Chicago Sun-Times*, *Newsday*, *The Boston Globe*, *Rolling Stone*, *Time*, *Newsweek* and *The Los Angeles Times*, etc. So you can see we're not dealing with the *National Enquirer* . . . After the phony haircut story I went away, but before I left, CBS Radio called.

"You going away," the man said.

"Yeah man, I'm tired. I'm winked out."

"Well, call us. No matter where you are, call us. Collect."

"Why?"

"Abbie, you're the media's wet dream."

Meanwhile, at the Waldorf-Astoria . . .

BY TOM BUCKLEY

Like their peers who own or manage banks, power companies, and shoe and hardware factories, newspaper publishers have regional and national trade associations that look out for their interests. The most important of these is the American Newspaper Publishers Association, to which 1,054 of the 1,749 daily papers in the country belong.* The association holds its annual meeting—meeting is a more serious-sounding word than convention—at the Waldorf-Astoria Hotel. It began this year on April 24, the day the two-day counter-convention sponsored by (MORE) ended.

Labor practices, government relations, technical developments, advertising and circulation, in short the business side, are the main interests of the association. Journalism is pretty much left to the editors, a reasonable enough arrangement except for the fact that it is the publisher who is almost invariably a paper's chief executive and often its owner. He is the man who sets the editorial budget, decides important questions of news policy, and hires and fires the managing editor. A. J. Liebling, in whose

memory the counter-convention was held, dedicated his first collection of "Wayward Press" pieces to the founding of a school for publishers, "failing which, no school of journalism can have meaning." Liebling didn't expect the school to be established, and it hasn't been.

The essential purpose of any convention program, the publishers' included, I decided after attending it off and on for four days, is to distract attention, like a magician's wand, from what is really going on. Publishers aren't any different from other captains of industry in their disinclination to give away the secrets of their prosperity. The panel discussions, even on the dollars-and-cents subjects close to their hearts, were, to put it mildly, general in nature. The clouds of warm, moist air that rose above the heads of the featured speakers were enough to cause the plaster on the ceiling to buckle.

While I was grinding my teeth with boredom, listening to the platitudes that rolled from between the teeth of the chairman of the board of General Motors (which just happens to be the largest newspaper advertiser in the country), I decided that the rest of the hotel was seething with intrigue. In a sumptuous suite on the 35th floor of the Waldorf Towers, in my heated imagination, the Gannett interests were acquiring

* Though almost 700 newspapers do not belong to the ANPA, those that do represent 90 per cent (56 million) of the daily newspaper circulation in the U.S. The only major paper not a member is *The New York Post*. Dorothy Schiff, the paper's owner, was not available when I called to ask her why. It may be the dues, which can run up to a maximum of \$15,500 a year.



Robert McElroy, Newsweek

another paper, filling a happy publisher's three-suiter with \$1,000 bills. Somewhere else, flint-eyed Midwestern free-enterprisers were talking turkey with a strikebreaking syndicate. Behind locked doors was being demonstrated a model of a newspaper plant that could be operated with no employees at all. Gazing at the empty seats around me, the thought intruded itself that the publishers not so engaged were probably sleeping off the effects of fancy drinking and dining, theatre-going and a certain amount of fleshly self-indulgence, often arranged, I was led to believe, by their grateful suppliers of syndicated features, newsprint and machinery.

My first impression of the publishers as a group had been disconcerting. Having grown up on stories of imperial Hearst, of James Gordon Bennett, who ran the *New York Herald* from his yacht, of the munificent and elegant Marshall Field, the baronial Robert Rutherford McCormick, the Binghams of Louisville, judges of fine horseflesh and mellow bourbon, I was unprepared for the sight of so many pinched, suspicious faces, dollar haircuts and Sears, Roebuck suits. How could it be, I asked myself. *Editor & Publisher*, the dull but faithful mirror of the trade, had reported that despite the recession, representative newspapers were making pre-tax profits of something like 20 per cent on their gross earnings, three times the rate for American business as a whole. All but a handful enjoyed a monopoly unregulated, even nominally, by any government agency. They had been granted an exemption from the anti-trust laws by a grateful Congress. Every face should have been ruddy and beaming, clenched around an eight-inch Havana lighted with a \$5 bill. Their private railroad cars should have been drawn up in rows on the tracks beneath the hotel, their jets parked at LaGuardia, their Mercedes-Benz 600 limousines blocking traffic on Park Avenue.

While keeping watch for falling plaster, I evolved several theories in an attempt to explain this seeming paradox. The first was based on the fact that the people of the world can be divided into two categories—those who are worried about getting something and those who are worried about losing it. Publishers fit into the second group, and, considering their holdings, their worries must be substantial. The second had to do with the fact that about half of the daily papers in the country, and about the same percentage in the membership of the association, are owned by chains. (It is a proportion that is steadily increasing.) It seemed possible that the publishers I was looking at were mainly the hired hands, who might be expected to show their gratitude for an expense-paid trip to New York by attending all the sessions. Possibly they had to submit a written report to the home office after their return to Slag City. At the same time, though, they would tend to worry about what was taking place in their absence, wondering whether reporters were taking pencils and envelopes home or delivery boys were pocketing the odd quarters from their collections.

I could not ignore the fact that three-quarters of the papers that belonged to the association have circulations of less than 50,000. This is small-town journalism by today's standards, and it may have been that these publishers had been made dyspeptic and unhappy by their airplane trip, staring up at the tall buildings after they arrived, their inability to find a McDonald's in midtown, and the Waldorf's high-speed elevators, which I was told several of them rode by the hour.

The most likely theory, I finally decided, was that these publishers, as well as their big city counterparts, had adopted the same shabby attire as a kind of protective coloration to disguise themselves against gold-brick salesmen and other bunco artists in which the city abounds. So certain did I become of this notion that when I noticed that Donald W. Diehl, of the *Easton (Pa.) Express*, affected obviously made-to-order suits with broad lapels and flaring trousers, long-collar shirts and wide ties, and had his prematurely grey hair razor cut, I immediately assumed that the paper was in trouble and that his prosperity was a simulation designed to lure an unwary buyer into his clutches.

At the first meeting there were speeches by Richard H. Blackridge, the publisher of the *Kokomo (Ind.) Tribune*, the outgoing president of the association; William D. Ruckelshaus, the head of the Environmental Protection Agency, and Louis Harris, the pollster. Blackridge, who told me later that he was the grandson of the founder of the paper, which has a circulation of 32,000, said the association would "fight to the finish" the proposal being considered by the Federal Communications Commission that would forbid the ownership by newspapers of radio, television and cable television stations in their cities of publication. "This is not a matter of self-seeking," he said, in what I thought was the funniest line I heard in a convention not exactly loaded with laughs, "it is a matter of simple equity."

From there Blackridge segued into what a reading of the clips about past meetings in the *Times* morgue had informed me was an evergreen number when the publishers got together—"the runaway bureaucracy of the regulatory agencies" blues. "I am happy to say," Blackridge said, "there have been some signs of progress in the last three years under the Nixon administration toward putting some of the agencies on a tighter leash. But obviously the battle is far from over. We cannot afford to relent. When free-wheeling agencies assert their power to make law, American freedoms are in jeopardy—not only freedom of the press, but all freedoms."

Not that Blackridge showed himself to be a fanatic on the subject of press freedom. It was something, he said, that had to be "viewed

in realistic perspective." (In my brief conversation with him a couple of days later I forgot to ask him what he meant by that statement, but I do recall his saying that the *Kokomo Tribune* wouldn't have published the Pentagon Papers, in what I must regard as the unlikely event of its having got hold of them.) "I would be the last to minimize the hazards and hostilities with which a free press must constantly cope," he said, "but I would also warn against overstating, overdramatizing these dangers...In fact, much of the public gets downright annoyed at what appears to be, and sometimes is, overreaction and special pleading." I don't think Spiro Agnew could have put it any better.

Ruckelshaus managed to talk about the environment for 20 minutes without mentioning the paper mills that are among its worst polluters. No one likes to hear unpleasant things, I told myself, and publishers are among the few people in the happy position of seldom having to.

Harris, who sells his polling service to more than 200 papers, came closer than anyone else to talking sense to the publishers, and I thought I saw at least a few figurative bulbs light up in the room. By then, unfortunately, the crowd had begun to thin out, and I don't think there were more than 100 publishers, about half the number there when the session began, to hear him. Harris said that his samples indicated that the "establishment," including the press, was losing its credibility, and that men like George Wallace, George McGovern and Ralph Nader, who reflected this attitude, were increasingly admired.

After a three-hour lunch break, which provided enough time for even a late-staying publisher to change into a frock coat, vest embroidered with dollar signs and silk hat, and make it to Lutece and back, the afternoon sessions began. I decided to attend the panel devoted to news and editorial problems, since it was the only time the subject came up on the week's agenda. Only about 35 publishers of the 1,300 at the meeting showed up at the Louis XV Suite, which might have been an appropriate place to hold the entire convention, and I began to feel sorry for the two moderators, Eugene S. Pulliam, whose father, the publisher of the *Indianapolis Star and News*, has done so much to make that city what it is today, and Dolph C. Simons Jr., the publisher of the *Lawrence* (Kan.) *Journal-World*.

It turned out that several of the publishers had wandered across town to attend the counter-convention. One said that his son thought it was "the greatest thing since the invention of the wheel." I imagined that dad would be searching his bedroom for marijuana when he got back home. Pulliam said that his daughter, "a working newspaperwoman," had also been enthusiastic about the events at the Martin Luther King Labor Center on West 43rd Street. His father, I was certain, would have forbidden him to attend, and he wouldn't have gone. Jerome H. Walker, the executive editor of *Editor & Publisher*, who had been shining a potential advertiser's shoes, arose to say that he thought it had been "putrid."

There was talk about democracy in the newsroom. John McCormally, editor and publisher of the *Burlington* (Iowa) *Hawk-Eye*, said he would be willing to let his staff vote on a managing editor, if I heard him correctly, and another fellow, from Huntington, Ind., I think, said he would sell his paper first. (I wondered if he had been talking to Gannett.) Another topic of discussion was blacks in the newsroom. Representatives of the smaller papers said they were hard to find and hard to keep out of the clutches of the larger papers after they had learned the ropes. No one mentioned that they were cheerful and had a wonderful sense of rhythm. There was some talk about the quality of journalism school graduates, and the man from the *Kansas City Star*, who wore Uncle Zeb chin whiskers, said he thought most of them were lousy writers. A man from Vincennes, Ind., asked jovially, "When the hell we gonna' talk about money?"

On the final day, there was what the program described as a "press conference in reverse." A panel of publishers were questioned by two congressmen, Ogden (Brownie) Reid of New York, who had run his family's *New York Herald-Tribune* for a while but seemed to be more successful in politics, and Philip M. Crane of Illinois. William Attwood of *Newsday*, one of the handful of what I came to think of as "good" publishers, made a couple of comments that are worth setting down here. Speaking about advocacy journalism, Attwood said that there was no room for it in his paper's news columns but that reporters who felt strongly on an issue were encouraged to write an opinion piece for the Op-Ed page. "It comes a little cheaper than syndicated columns," Attwood said encouragingly. Then, in the inevitable discussion about objective and interpretive reporting, he said, "If a politician makes a speech that presents facts that we know aren't accurate, and if we don't point that out, then we're just printing a damned lie." Most of Reid's questions concerned issues of press freedom raised by court proceedings that have followed the publication of the Pentagon Papers, the subpoenaing of reporters and their

notes, and the attacks on the press, radio and television by Vice President Agnew. Reid seemed to be more worried about these developments than the publishers, aside from Attwood. Out in the lobby after the session Reid shook his head. "I tried to raise a serious issue," he said. "This is the most serious attack on the press in a century, but I didn't sense that they quite saw the urgency of it."

The day's featured speaker was Clay T. Whitehead, the director of the Office of Telecommunications Policy of the Executive Office of the President. He had that look of pale self-satisfaction that seems to characterize White House assistants, in his case intensified by the feeling of accomplishment that must accrue to any such aide who started out 33 short years ago in Neodesha, Kan. Whitehead's speech began with an illiteracy: "As was intended to be conveyed by the somewhat awkward name of the Office of Telecommunications policy, I really have nothing directly to do with your business of newspaper journalism." From there on, it was the usual not very subtle mixture of threats and promises that Reid had been alluding to. Like Blackledge, Whitehead was concerned about the policies of the FCC, mainly the so-called "fairness doctrine," which requires radio and television stations to present all sides of controversial issues, and a recent Federal court decision that forbids broadcasters from refusing to sell advertising time for the presentation of political messages.

What you and I might have thought to be a reasonable enough effort to make the public airways available to all, Whitehead saw as "a severe restriction upon the editorial freedom of a private broadcaster." Then, ignoring the existence of the First Amendment, he said, "If you have not heard it seriously suggested that the fairness doctrine be extended to newspapers, I have." He went on to say, "What if the British could have compelled Tom Paine to devote half of each of his pamphlets to 'the other side' about the Revolution?" His equating of a tuppence broadside with a monopoly daily newspaper should have insulted the intelligence of the publishers, but my guess was that he instead stimulated their paranoia.

Whitehead inserted a plug for Radio Free Europe and Radio Liberty, which Senator Fulbright, among others, has suggested abolishing. Later, from the floor, Joe Nixon, said that eliminating the broadcasts might reduce tensions between the United States and the communist-bloc countries, particularly in view of the President's forthcoming visit to Moscow. Eyes gleaming with knowledge of geopolitical game plans unknown to the rest of us, Whitehead replied, "Some kinds of tensions are best kept alive."

There was some talk about the quality of journalism school graduates, and the man from the *Kansas City Star* said he thought most of them were lousy writers. A man from Vincennes, Ind., asked jovially, "When the hell we gonna' talk about money?"

On the basis of a couple of friendly comments he had made about the counter-convention in the news panel discussion a couple of days earlier I had already put Nixon down among the good publishers. When the final session adjourned I asked him to tell me something about himself. He said that his family owned papers in Michigan City, Peru, Wabash and Frankfort, Ind., but that he didn't control the editorial content, and that his wife was Blackledge's cousin. "I don't know if they liked what I said," he told me. "This is pretty much a don't rock-the-boat kind of outfit."

While talking to Nixon, however, I missed Davis Taylor, the publisher of the *Boston Globe* and the new chairman of the ANPA. I called him a couple of days later. I had already marked him "good" on the basis of the considerable improvement in the *Globe* in the past several years. His standing went up still more when he answered the telephone himself. The chairman arranges the speaking schedule at the annual meeting, and Taylor said that next year he planned to present some dissident views. "We want to hear more of the other side," he said. I mentioned Liebling's dictum about a school for publishers. He replied with a quotation from the late Ed Leahy, a famous correspondent of the *Chicago Daily News*: "The romantic life of a reporter in a battered hat is impossible unless some advertising hustler in a hard hat is bringing in the sheaves." It was undoubtedly true as far as it went, but Taylor had no ready reply when I asked him why so few publishers spent as large a share of their sheaves on news content as he did.

Next I talked to Malcolm A. Borg, the 34-year-old publisher of the *Bergen* (N.J.) *Evening Record*, who had, I was told, denounced the association of which he was a member, in a Channel 13 report on the meeting that I hadn't seen. "It's a self-gratification complex," he said. "All they want to do is drink, talk, tell you how they beat Internal Revenue on this or that, how much their wives spent at Bergdorf's or Tiffany's. I had the publisher of a 30,000-circulation daily tell me, 'As long as I make my \$150,000 a year, I'm happy.' Liebling was right."

The People v. the Wasteland

BY PETER A. LANCE



Ralph Nader hasn't exposed it yet. *Consumer Reports* hasn't tested it for quality. And Marshall Efron hasn't kidded it on the "Great American Dream Machine." But a growing number of Americans today are convinced that the biggest consumer problem in this country is broadcasting. Indeed, after food, every U.S. household consumes more television than any other commodity—an average of seven hours a day. Adults spend another two-and-a-half hours a day listening to radio. And just as consumerists have invoked the FDA and the FTC to protect themselves against unsafe products and deceptive ads, newborn media coalitions from Boston to Bakersfield are after the FCC to allow them a say in the kind of programming beamed into their living rooms by the networks and local stations.

Broadcast consumers are moving in several different directions. Some are seeking direct access via counter-commercials and free public affairs time. Others, like Boston's Action for Children's Television (ACT), are pressuring the networks to cut down on violence and remove commercials from Saturday morning children's shows. But broadcast industry lobbyists admit the real threat to radio and television "as-is" has come from citizens groups around the country that are challenging local station license renewals. What began eight years ago as a struggle between a civil rights group and a TV station in the deep South has emerged today as a major public access movement.

By law, the FCC is empowered to renew the three-year licenses of only those stations serving the "public interest, convenience and necessity." But for 30 years following passage of the 1934 Communications Act, the commission didn't lift a single license on public service grounds. In fact, until 1964, when the first community challenge was leveled against WLBT-TV in Jackson, Miss., the FCC wouldn't even let the viewers in on renewal proceedings unless they could prove they had a financial stake in a station's future. Without legal clout, the only way broadcast consumers could respond to station owners was via letters and phone calls to the commission. Hardly threatening. But a coalition of Jackson blacks decided they wanted some balance to the all-white programming coming over local Channel 3.

"WLBT was a perfect example of a station using its license to print money without regard to community service," says Dr. Everett Parker, of the United Church of Christ's Communication's Office, which mounted the challenge for the coalition. "Jackson is 40 per cent black, yet the station had no black programming and no blacks in decision-making spots on the staff. In short, they were beaming out uncut segregation." The commission, true to form, refused to hear the challenge. However, after five years and two appeals to the U.S. District Court in Washington, the FCC was ordered to give WLBT's license over to an integrated citizens' group, which still runs the station on a non-profit basis.*

Since WLBT broke ground, more than 150 stations have been challenged by coalitions largely made up of minority groups clamoring for

a voice in local programming and more equitable hiring practices. Another 150-odd stations have met citizens' demands rather than risk losing their broadcast tickets before the commission or in the courts. Although the challenge concept caught on slowly, the number of citizens' "petitions-to-denry" (license renewal or transfer), has increased from four in 1968 to more than 80 last year. A full 22 petitions were filed against California stations alone when they came due for renewal last December, and three separate coalitions are now negotiating with the seven VHF television outlets in New York, where licenses expire June 1st.

Indeed, the crush of license challenges in the New York-New Jersey renewal region amounts to nothing less than a siege. Some 26 radio and television outlets in the two states had been hit with petitions-to-denry as (MORE) went to press. Five different groups have mounted actions in New York City alone and the FCC has received challenge briefs against 14 out of 18 stations in Rochester.

In Manhattan, WCBS-TV was the hardest hit, with challenges from the New Jersey Coalition for Fair Broadcasting, the Harlem-based Black Citizens for Fair Media and an environmental coalition made up of The Friends of the Earth and the Citizens' Committee for Clean Air. The Jersey coalition, made up of prominent labor, civic and civil rights groups, also filed against Metromedia's WNEW-TV in New York City. The charge in both cases was neglect of New Jersey, which has no VHF outlet of its own. Under the threat of challenge, the coalition reached agreements with WNBC-TV, WABC-TV, WOR-TV and WNET-TV for increased coverage of news from New Jersey. The Black Citizens for Fair Media reached last-minute accords with WNBC-TV and WABC-TV for increased minority programming and the hiring of full-time black community coordinators by each of the stations to improve relations with the ghetto.

Friends of the Earth and the Citizens' Committee for Clean Air also filed against WABC-TV, WOR-TV and WNEW-TV for their alleged failure to implement last year's court decision extending the fairness doctrine to include gasoline and automobile ads. WNBC-TV went along with the environmentalists' demands that the car and fuel spots be balanced with a minimum number of counter-commercials opposing pollutants. And WABC-TV was also hit with a challenge from the New York chapter of the National Organization for Women (page 10).

Next, WOR-TV was socked with a lone challenge from a little-known Judeo-Christian sect called The American Board of Missions to the Jews, Inc., which charged the RKO-General outlet with religious discrimination in programming for allegedly refusing to air a board-sponsored "docu-drama" entitled "The Passover." In addition, WOR was

* Citizens' groups don't generally have the resources necessary to compete for station licenses. Thus, WLBT is a special and unusual case. Since it takes between three and four million dollars to take over a television license, competing applications are usually filed by corporations like Forum Communications, which is seeking WPIX-TV's license in New York, or Boston Broadcasters, Inc., which recently assumed control of Channel 5 in that city after a prolonged struggle. See (MORE), April, 1972.

hit with a competing application filed by Multi-State Communications, Inc., a corporation that has also sought RKO-held channels in Los Angeles and Boston.

Of course, WPIX-TV, the *Daily News*-owned outlet, was spared any direct challenge action this time around since it is already being attacked by Forum Communications, Inc., which filed a competing application for the station in 1969. The above challenge groups have all decided to make their peace with the winner of that fight.

"The petition-to-deny has become a kind of brinkmanship tool the citizens groups have used to get stations to listen to their complaints," says FCC Renewal Chief Dick Schiben. "Most stations would rather sit down and negotiate with them than take the chance of the Commission holding up renewal for a hearing that could cost thousands in legal fees." And station owners who used to regard the renewal period as a time of perfunctory rubber-stamping, are now sitting down by the dozens, taking very seriously the demands of blacks, Chicanos, Indians, Chinese Americans and women's groups.

The first major agreement following the WLBT case came in Texarkana, Texas, in 1969. A black community group there withdrew a denial petition against KTAL-TV when the station promised to meet monthly with "all segments of the public" to discuss programming. The KTAL news department also pledged to hire two black on-air reporters. What made the pact historic, though, was the station's willingness to consider the agreement a binding part of its renewal application, thus giving the coalition a legal handle to make sure KTAL kept its promises.

In Atlanta, the Community Coalition on Broadcasting threatened to file denial briefs against all 28 of the city's radio and TV outlets in April, 1970. Right away, 26 stations bent to coalition demands. They pledged on-the-job broadcast training for blacks, journalism scholarships for aspiring black reporters, the production of a black heritage program series and, perhaps most important, an agreement to consult the coalition whenever network programs of concern to minorities were slated for pre-emption.

The mere threat of petitions-to-deny was enough to allow the Dallas-Fort Worth Coalition for the Free Flow of Information to win sweeping concessions from five outlets in that market last July. The Coalition, made up of blacks, whites, Chicanos and Indians, got an agreement for 60 minority job openings over a three-year period from the two radio and three TV outlets under fire.

Just last March, Chicano coalitions withdrew challenges against four Southwest stations owned by Doubleday Broadcasting Co. when Doubleday agreed to hire Mexican-American newsmen to cover barrios in San Antonio (KITE-AM), El Paso (KROD-TV), Odessa, Texas (KOSA-TV) and Albuquerque (KDEF-AM). And coming on the heels of petitions-to-deny, similar agreements have been won by broadcast consumers in Memphis, Mobile, Chicago, Denver, Los Angeles and San Francisco.

Within the last year, citizens groups also have made gains using another FCC rule designed originally to hold down station swapping: the petition to deny transfer. "When blocks of stations are sold like soap and run merely as money makers, the quality of public service is diminished," says Al Kramer, director of the Citizens Communications Center in Washington, which challenged two of the biggest transfer deals. The center filed in January, 1971, against a \$147 million transaction in which Walter Annenberg's Triangle Publications Inc. was unloading nine stations to Capitol Cities Broadcasting, another media conglomerate. By June of that year, CapCities officials had negotiated with the center an unprecedented commitment for \$1 million in minority programming to be produced over a three year period at the three commercial VHF's in the package: WFIL-TV Philadelphia, WNHC-TV, New Haven and KFRE-TV Fresno.

And broadcast consumers were involved in a McGraw-Hill-Time Inc. deal that made the Clifford Irving flap seem small-time. Moving to spin off its broadcast properties in order to stay in the cable game, Time-Life Broadcasting offered its five television outlets to the publishing house in April, 1971, for \$69,300,000. This time Kramer intervened on behalf of nine Spanish-speaking groups filing a joint petition to deny transfer with the Denver Mass Media Task Force, a black coalition. The viewers charged McGraw-Hill with submitting a weak programming proposal and making an inadequate community-needs survey. They also argued the deal would only increase the concentration of media ownership, a tendency the commission has frowned upon lately. At stake were California outlets KERO-TV in Bakersfield and KOGO-TV in San Diego, as well as WFBM-TV Indianapolis, WOOD-TV Grand Rapids and KLZ-TV Denver. At first, it looked as if the challengers had lost. Negotiating since last September, McGraw-Hill agreed to meet limited minority demands but refused to budge on the diversification issue. In March, the FCC approved the transfer on a 4-2 vote, and talks broke off. But in early May, faced with a long court fight, McGraw-Hill agreed to meet most of the coalition's demands. Most significantly, they dropped the WOOD-TV station from the

package and agreed to set up five-member citizen advisory councils in each of the remaining four cities to see to it that 15 per cent of station staffs are made up of blacks and Chicanos within three years. McGraw-Hill also pledged to set up a minority training program, to produce a series of minority cultural specials and public affairs documentaries and to patronize minority business enterprises in the four cities.

Now that the broadcast consumer struggle has truly emerged as a movement, more than 100 ad hoc media coalitions have sprung up both in the top 50 radio-TV markets and in more rural areas. Most are still made up of minorities demanding permanent access, like San Antonio's Bilingual, Bicultural Coalition on Mass Media or Chicago's Task Force for Community Broadcasting. Others, like Wisconsin's Better Television for Madison, consist of whites petitioning for more extensive news and public affairs coverage. Sometimes established organizations have fought renewal battles. The Democratic Party of Arizona, for example, filed to block the transfer of KPHO in Phoenix in order to prevent a proposed format change from "all-news" to "country and western." Nor is it uncommon for several citizens groups to exist in the same town filing parallel briefs against the same stations. When California licenses came up last year, KPIX, the Westinghouse San Francisco television outlet, was hit with separate denial briefs from The Committee for Open Media, The Committee on Children's Television and the Community Coalition for Media Change, all Bay Area-based.

Assembling a coalition, however, is just the first step in the challenge scenario. It takes well-grounded legal minds to unravel the tangle of FCC procedures necessary to file a petition. For years, only

Broadcast consumers were involved in a McGraw-Hill/Time Inc. deal that made the Clifford Irving flap seem small-time . . . Time-Life Broadcasting offered its five television outlets to the publishing house . . . for \$69,300,000.

lucrative stations could afford the \$100-an-hour communications lawyers who spoke the regulatory language. Now the movement has produced a handful of foundation-funded public interest media teams who work at translating the demands of citizens into potent legal briefs. The prime movers:

—The United Church of Christ's Communications Office. Besides pioneering the WLBT and KTAL landmark settlements, the UCC has assisted nearly 100 minority coalitions in fighting broadcast discrimination. With a \$100,000 annual stipend from the Ford Foundation and a pair of \$35,000 grants from the AFL-CIO, Dr. Parker's office has also moved against extremist broadcasters breaching the Fairness Doctrine. The UCC has two field representatives now organizing minority coalitions in 11 cities. The Office was instrumental in pushing through the FCC's June, 1969, ban on employment bias in broadcast and CATV facilities. And the organization also campaigned successfully for the Commission's May, 1970, policy requiring licensees to file annual equal employment profiles.

—Citizens Communications Center. Al Kramer's office is the nation's only full-time public interest communications law firm. With the help of two other attorneys, a researcher and two secretaries, Kramer has counseled local challenge groups in Atlanta, San Francisco, Sandersville, Ga., Chicago, Detroit, Mobile, Columbus and three dozen other cities, as well as spearheading the McGraw-Hill and CapCities struggles. The center also won the legal right of citizen participation in the 1969 FCC rule-making that shaped the current primer used by stations to ascertain community needs. The commission had intended to lock the people out. Unlike the UCC, which seeks out landmark cases, Kramer and the CCC take on all the requests for help they can handle. No station, public or commercial, is considered immune from challenge. Indeed, the firm is currently embroiled in a mass challenge involving eight TV outlets run by the Alabama Educational Television Commission. The AETC is charged with regularly dropping such NET programs as "Soul" and "Black Journal." Kramer has always insisted on no-strings-attached funding. Last month, for example, when the center was about to receive a \$400,000 Ford Foundation grant Kramer had no qualms about counseling the New Jersey Coalition for Fair Broadcasting which was preparing to challenge the license of Ford-funded WNET-TV in New York.

—Black Efforts for Soul In Television (BEST). Headed by Bill Wright, a dental technician turned community organizer, BEST acts as a resource outlet to help shape minority media demands. With less than \$70,000 from the Unitarian-Universalist Church, Wright has traveled to more than 40 cities running one-and-two-day "media workshops" designed to outline the politics of challenge. Working with the Urban Law Institute, BEST has also backed a petition now pending in the courts against the *Washington Evening Star's* Capital outlet WMAL-TV, a case that could prove a model for other big-city challenges.

—The Stern Community Law Firm, Run by Tracy Westen, a former legal aide to FCC Commissioner Nicholas Johnson, the SCLF specializes in direct access cases, like the request for commercial airtime by the Business Executives Move for Vietnam Peace (BEM) now before the Supreme Court. But Westen has also represented citizens petitioning radio format changes in Syracuse (WONO-FM), San Francisco (KSOL-AM) and Des Moines (KFMG-FM). Most recently he filed a brief in the D.C. Appeals Court on behalf of Albuquerque's Alianza Federal De Pueblos Libres to force stations to disclose annual profit figures—information that would give challengers more leverage in negotiations. Just last month, the Stern Concern, a SCLF spin off in Los Angeles, began producing the first in a series of public service counter-ads.

Not surprisingly, the broadcast industry has reacted to all this feedback as if Armageddon had been programmed for prime time. After several unsuccessful attempts to insulate the renewal process via Congress and the FCC, the National Association of Broadcasters is currently co-sponsoring a bill with Rep. James T. Broyhill (R-N.C.) that would extend the current three-year license period to five years. H.R. 12018 would also guarantee renewal to any licensee that had shown a "good faith effort to serve the needs and interests of its area," regardless of public protests. The bill is a replay of an earlier proposal by Sen. John O. Pastore (D-R.I.) that was shelved when the FCC adopted a similar protective renewal policy. That hard-to-challenge rulemaking was also overturned in the courts. The "good faith" section of the NAB-Broyhill measure has been endorsed by Clay T. Whitehead, director of the White House Office of Telecommunications Policy. In a speech last October, Whitehead also advocated longer license periods and called for the abolition of the fairness doctrine, which has evolved as the key to public access.

But after maintaining a closed-door policy on citizen involvement for years, the FCC appears now to be opening up. In 1970, chairman Dean Burch announced for the first time that the commission "welcomes the participation of responsible community groups in its licensing process." And he ordered a study designed to overhaul the FCC's vague and complicated renewal procedures. Dr. Barry Cole, a communications professor from Indiana University, was hired to direct the project. The result has been a plan some citizens groups say will close the renewal process and the industry says will give the public too much leverage. The study proposes, in part:

The Feminists v. WABC-TV

Editor's note: The first challenge against a television station for its failure to cover women's issues—and for its denigrating portrayal of women themselves—was mounted on May 1, when the New York chapter of the National Organization for Women (NOW) filed a petition to deny the license renewal of WABC. The petition charges that the network's flagship knowingly violates three FCC requirements: ascertainment of the needs and interests of its audience; fairness in presenting controversial issues; and equal opportunity in employment. The challenge is the result of an extensive investigation of WABC-TV which began on August 26, 1970, the day of the first Women's Strike for Equality, when 50,000 women and men turned out to march in New York alone. Below, NOW's case against WABC is presented by Judith Adler Hennessee, vice president and FCC coordinator for NOW-N.Y., and Joan Nicholson, a member of the NOW-N.Y. board of directors.

For women who felt they were making history, it was a nasty surprise to see the march on Eyewitness News as merely a melange of legs and long hair, punctuated by lingering looks at the most non-conformist among us. Women opposing the march got more air-time in on-the-street interviews than those supporting it, by four to one. When one of the strike coordinators asked Roger Grimsby to refer to her and the other women as "women," he quipped, "Is female okay?" It wasn't. In comparison, and only in comparison, the other stations didn't do too badly.

A meeting with vice president and general manager Kenneth MacQueen and news director Albert Primo turned into a metaphorical sparring match with everyone circling warily for position. No one scored any points. We talked about fair coverage and employment, and they talked about a new show for housewives. Obviously, we weren't getting through.

For the rest of the year we remained weird specimens, jokes, to be viewed at a safe distance through the mocking and subjective eye of the newscasters. At times it almost seemed like a game they were all playing to see who could make us seem freakier. But for the most part WNBC and WCBS confined their comments to their news film editing. At WABC, Grimsby couldn't resist saying it out loud. "Roger's whole personality is a

—that television stations file annual reports assessing community problems and listing the programs they will produce to deal with them.

—that all outlets solicit public comments on their performances throughout the three-year license period via prime time spots, inviting audience involvement in renewal action.

—that the deadline for filing renewal applications be moved back from 90 to 120 days prior to when licenses fall due. This provision would give the public more time to inspect applications, but would rule out eleventh hour petitioning, a popular coalition tactic.

The plan is not expected to be voted on by the seven commissioners until mid-summer. Meanwhile, the movement continues to gain momentum through favorable decisions by the District of Columbia Court of Appeals, which has broadened the definition of public access in a half-dozen challenge rulings since the WLBT case. The latest boost for broadcast consumers came in March when the three-man bench overturned a commission decision which had denied Texarkana citizens reimbursement for legal fees in the KTAL case. If local coalitions make reimbursement a demand in upcoming negotiations, the movement, now dependent on the grace of foundations, could become self-sustaining.

The industry is holding its breath on another pending appeals decision, the WMAL case. If the Court rules against the *Evening Star* and orders a hearing on the citizens' petition-to-denry, some 80 similar cases now in deferred status at the Commission may be forced to go the same route. The action would move many stations to negotiate rather than litigate, and the challenge cause would gain new legal backbone.

The ensuing caseload might also break the administrative back of the FCC, which has recently been forced to double its renewals staff to cope with the welter of challenges. Indeed, commission bureaucrats are beginning to ask, along with the broadcasters, how long the phenomenon can continue at such a pace. From all indications, the answer is quite a while. For the industry shows very few signs of voluntarily moving to redress the public grievances that it allowed to pile up over more than three decades of largely unregulated money-making. On the contrary, the broadcasters' chief argument these days seems to be that the spate of challenges threatens the "stability" of the industry. Exactly.

sneer," one of his colleagues once observed. Funny, he's never sneered at Willowbrook, or at black civil rights groups. The balance was tipped one year and one month later on August 26, 1971. After the airing of typically distorted films, Grimsby said, "And now for another piece of trivia," and went on to a story about a bug.

In a sense, one might almost say that Grimsby was directly responsible for the challenge, but he only reflects the mentality of the whole broadcasting industry. Women have been seeing themselves on television through male eyes for as long as television has been in existence. We are shown as adjuncts to men, as male amusements and male property. Lily Tomlin walked off the "Dick Cavett Show" recently after Chad Everett, the other guest, remarked that he owned a lot of animals—he owned horses, he owned dogs, and he owned his wife. Neither Cavett nor Everett seemed to grasp what it was all about. Cavett, who holds a job closed to women, is part of the broadcasting structure.

Patriarchal, reflecting a single point of view and uncomprehending of others, acting primarily in its own interest, the industry oppresses women by excluding us from its decisions, by demeaning us in its programming, by underpaying us for our work. The airwaves transmit propaganda for a lifestyle that has become extremely controversial during the past seven years. Without the access which we have to fight to get, women are dependent on an antagonist to present our case and our issues fairly. It's an absurd situation.

The challenge, the first one mounted by a feminist group because of sexism, is a three-pronged attack based on discrimination in employment, faulty ascertainment, and lack of fairness. What it all comes down to is that WABC-TV isn't doing anything right. All three areas are linked together by the narrowly focused sexist attitudes of the station's white male hierarchy. If the broadcasters who make the policy decisions are men, and they don't take seriously the existence of feminist groups, then programming and news coverage are automatically going to be wildly unbalanced. Only one of the top 12 executives is a woman and she holds a "woman's job," the guardian of morality and taste, as head of the Broadcast Standards and Practices Department. She's the censor. The job

FORTY-SIX PERCENT OF AMERICAN GIRLS BY THE AGE OF NINETEEN HAVE EXPERIENCED HORIZONTAL ENRICHMENT, ACCORDING TO THE PRESIDENT'S COMMISSION ON POPULATION GROWTH. THIS HARVEST OF THE GARDEN HAS BEEN ACCOMPLISHED WITH LITTLE KNOWLEDGE OF FERTILIZATION. THE PRESIDENT'S COMMISSION SAYS DEFLORATION OCCURS WITH LITTLE KNOWLEDGE OF OVULATION AND LITTLE INCLINATION TO PREVENT A SECOND CROP. MOST OF THE GIRLS IN THE SAMPLE CLAIM BUT ONE PARTNER... BUT OVERALL, MARY HAS LITTLE KNOWLEDGE OF WHAT MAKES HER GARDEN GROW.



is a powerful one, but it only comes into play after the real policy and programming decisions are made. The program director, news director and editorial director are all men. So are the technical crews. The secretaries, needless to say, are women, and their chances of promotion verge on the mythical. The men who run the station seem not to have heard about the new FCC ruling that requires every station to file an "affirmative action plan" for women and minorities with its license renewal. If they do know about it, they didn't bother to comply.

Of the eleven Eyewitness newscasters, only one, Melba Tolliver, is a woman, and the men on the assignment desk aren't very eager to burden her with work. According to NOW's data, Melba averages about 3.5 per cent of news items per week. For some unfathomable reason, she is never assigned to cover feminist stories. Melba is a twofer, a black and a woman who fills two token positions for the price of one. Team spirit is a bit weak where she is concerned. "We like each other," the newspaper ads say, but at the end of the show Roger and Bill and Tex and the whole team gather together informally while the camera pans over their happy, smiling faces—everyone except Melba.

The absence of women in decision-making positions leads to the second part of the challenge—faulty ascertainment. When the ascenders are men who are chronically deaf and blind to issues they have already decided are unimportant, the community groups they consult with aren't going to be able to get through to them. NOW, which is the largest and leading feminist organization, was completely overlooked. We weren't even invited to one of those all-purpose group breakfasts at which representatives of various organizations chat amiably about generalities. Often these groups are so ignorant of their rights that they're delighted to be paid any attention at all, and a cheap public relations meal gets pawned off as "ascertainment."

The treatment of the Equal Rights Amendment is typical of institutional blindness. Before the ERA came up for its 49th annual vote in the Senate, NOW-N.Y. wrote to Elton P. Rule, president of the network, asking that ABC cover the hearings and do a special on the meaning of the Amendment, which was rather vital to half the population. Rule passed the letter down the line of succession to Kenneth MacQueen, who answered with a long rambling defense of ABC's coverage of women's issues (he must have been thinking about recipes), and a promise to meet with his staff to talk about an ERA show, after which he would get back to us. The ERA vote came and went, and still no answer. On the day it passed, the story was mentioned in passing on the six o'clock Eyewitness News and was omitted entirely from the 11 o'clock show. The ABC network's anchormen, Howard K. Smith and Harry Reasoner, gave it approximately ten seconds.

This sort of generalized contempt for women is implicit in all of the station's programming. When they aren't being ignored or derided in the news, women are shown in demeaning, stereotyped roles, subordinate to and serving men. Women of reason, intelligence, independence, and authority simply don't inhabit WABC-TV's airwaves. The 32 million women who work are invisible, and so are the women on welfare. In part, NOW's challenge is an effort to make new law by extending the fairness doctrine to include the reality of women's lives. Our petition argues that

the role of women in society is an issue of controversial public importance, and that the station's programming presents only one side of that issue.

Hours of mind-sagging daytime shows—"All My Children," "General Hospital," "The Newlywed Game," with male announcers and male emcees and male doctors running women's lives—crawl along until 6 o'clock (when the men come home), uninterrupted by a news broadcast or any kind of informational program. It just isn't possible that women have absolutely no needs except to live vicariously through the disasters of their favorite soap heroine, or to yearn after the material acquisitions of "Let's Make a Deal" contestants. The divorced woman who needs childcare facilities, the older woman who wants job training information, the pregnant woman who wants abortion information, the housewife interested in educational opportunities, aren't going to get any help from ABC. There are no public service programs for women because the stereotyped view of women is that they are supposed to serve men.

The only interruptions are provided by commercials, and they merely perpetuate the same image. The prime time programming—supplied to WABC by the network—is no improvement. In fact, the programs are scarcely distinguishable from the commercials. The same kind of mind fashions them both. The shows about families always portray women as non-working wives-mothers and / or housekeepers. On "The Courtship of Eddie's Father," the house is run by a mousey Oriental woman while Eddie's father hunts around for a mother for Eddie. On adventure shows like "The Persuaders," the men have all the adventures. The women get to be ogled and protected. On "The Young Lawyers," the character portrayed by Judy Pace is a professional lawyer in name only—she has yet to handle a case by herself. Exactly two female leads grace the schedule—one is a witch and the other, "That Girl," is retarded. There's no way to prevent ABC from showing women like this, but fairness demands that if women are seen as morons, they must also be seen as geniuses. If they are housewives, they are also bank presidents or mayors; if nurses, then doctors.

Fairness also demands balanced coverage of the news. Even now when women are running for political office in unprecedented numbers, they're not getting the same coverage male politicians do. The men who are in charge of news selection, filming and reporting seem incapable of taking women seriously. Whites dealing with the black struggle for equality make the same sort of mess out of it. Toward the end of March, the Women's Political Caucus sponsored a press conference and a walking tour of the city for Shirley Chisholm. A presidential candidate is news, and a walk around town is right up the alley of the Eyewitness News team—they're always filming spring in the park and winter in Queens—but Chisholm, a local woman, was the exception. WABC didn't show up.

If WABC is going to operate in the public interest, women will have to share in running it. That day is a little closer now. On May 15, NOW's lawyers at the Center for Constitutional Rights received a letter from WABC's lawyers asking to meet with us. They want an amicable, out-of-court settlement. We'll be there. We'll always be there. It took a 300-odd page legal document to prove that women's rights aren't so trivial after all, and they are not laughing anymore. Right, Roger?

(THE BIG APPLE)

Buttressing Gossip



In its continuing effort to fuel the fantasies of the city's Upwardly Mobile, *New York* magazine listed no less than 500 salaries in its May 1 issue. This exercise—entitled "How Much Can a Person Make for a Job Like That?"—was undertaken, according to Karin Tetlow, the free-lance writer who compiled the catalogue, "to buttress gossip with fact."

Thus (to limit matters to some of the journalists and quasi-journalists on the pay roster), readers learned the annual salaries of *Times* vice president James Reston (\$96,395), WABC-TV weatherman Tex Antoine (\$110,000), NBC News correspondent David Brinkley (\$250,000), *Newsweek* chairman Osborn Elliott (\$105,000), *Time* publisher Henry Luce 3rd (\$87,082) and public television anchorman Sander Vanocur (\$85,000).

Conspicuously absent in this otherwise illuminating piece of service journalism were the salaries of top management at *New York*. In an attempt to correct this oversight, (MORE) put the question to executive editor Sheldon Zalaznick, managing editor Jack Nessel; art director Walter Bernard and assistant managing editor Judith Daniels. Oddly, all refused to divulge the information.

Stymied, we had to settle for the annual salary of editor and publisher Clay S. Felker, which is listed as \$50,000 in the most recent proxy statement of Aeneid Equities, Inc., the company that owns *New York*. And as long as we're helping to buttress gossip with fact, it is probably worth noting that Felker owns 100,250 shares of Class B stock valued at roughly \$5.75 a share, or \$576,442.

Numbers Game

For many months now, Richard C. Neuweiler, a free-lance writer and veteran *Times*-watcher, has observed with increasing fascination the fluctuating "street value" of heroin as reported in the *Times*. "In fact," he wrote us recently, "the newspaper rarely runs a drug raid story without mentioning the price the seized

cache would supposedly command on the street—a sum so large and delivered with such authority that no dutiful reader would have the impertinence to challenge it.

"Whence comes these grand numbers? Frequently from ever-helpful officials. Other times from an 'informed source,' but in what way said source is informed we are never told. (Besides, how does the reporter know this 'source'? Is he a former *Times* man driven to drugs? A current *Times* man driven to drugs? James Reston. No? It's a puzzle.) The point is that the numbers must be grand, and—as the attached survey reveals—they always are.

"The first five passages that follow are taken from a retrospective collection of *Times* drug stories photographically reproduced and bound under the title: *Drugs* (part of The Great Contemporary Issues series, James F. Fixx, general editor), *The New York Times*-Arno Press, 1971—a 4-pound volume that a company official said had a street value of \$25.00 a copy. The remaining quotes are taken directly from the issues indicated."

July 27, 1968—The "largest seizure of heroin in the nation's history"—246 pounds worth \$22.4-million was made [in NYC] Attorney General Ramsey Clark announced . . . yesterday.

Or: \$91,057 a pound.

December 8, 1968—. . . the seizure totaled 246 pounds of heroin. Informed sources said . . . the seized heroin could be resold for as much as \$55-million . . .

Or: \$223,557 a pound.

May 13, 1969—Customs officials announced yesterday afternoon that they had found 62 pounds of heroin in a cargo . . . from Spain . . . The almost-pure heroin powder, said to be worth \$8-million . . .

Or: \$129,032 a pound.

February 13, 1970—The confiscated narcotics included 19.8 pounds of pure heroin, with a "street" value of \$5.4-million . . .

Or: \$272,727 a pound.

February 7, 1971—A two-man detective team yesterday . . . caught a man with . . . 4.4 pounds of heroin worth \$200,000 . . .

Or: \$45,455 a pound.

June 21, 1971—Narcotics detectives . . .

reported it was a high-quality heroin, 1.2 ounces, enough for 300 shots, worth about \$5,000 . . .

Or: \$66,667 a pound.

September 21, 1971—John M. Walker, Jr. [an attorney for the Federal government, said] that the 200-pound shipment of pure heroin had a street value of \$40-million . . .

Or: \$200,000 a pound.

October 10, 1971—French authorities announced today the seizure of 233 pounds of pure heroin, worth about \$2-million in the New York market . . .

Or: \$8,584 a pound.

March 3, 1972—French customs agents in Marseilles found . . . waterproof bags containing 935 pounds of heroin . . . The United States Bureau of Narcotics and Dangerous Drugs estimated that at the national average street price . . . the heroin seized would ultimately have brought more than \$180-million.

Or: \$192,513 a pound.

March 16, 1972—Bronx detectives . . . said they had found seven and a half pounds of heroin valued at nearly \$750,000 . . .

Or: nearly \$100,000 a pound.

March 24, 1972—[where] a laboratory was uncovered containing 200 pounds of pure heroin worth \$3.5-million in United States street sales.

Or: \$13,250 a pound.

April 12, 1972—A Phillipine diplomat was convicted yesterday of smuggling \$13-million worth of heroin into the United States . . . The agents found more than 34 pounds of heroin in the [diplomat's] suitcases.

Or: a little over \$382,355 a pound.

April 22, 1972—Federal agents . . . seized suitcases containing \$967,000 in cash, which they believed was the pay off for a shipment of 200 pounds of pure heroin.

Or: \$4,838 a pound.

In part, of course, the disparities can be explained. Some of the items above deal with price of the drug at the source, not the so-called street value. And the purity of the heroin has a direct bearing on its cost, too. Nonetheless, the eagerness to put a heady price tag on each and every seizure reflects the general tendency of the media to sensationalize the Drug Menace. "I would have no problem in stating just the weight of a cache," says Dan Casey, regional director of the Federal Bureau of Narcotics and Dangerous Drugs. "But I have yet to meet a journalist who didn't insist on knowing what the price was." Not that public officials are blameless in this hype game. "Local and state officials in particular," says one of the *Times'* better

THE BIG APPLE

crime reporters, "often tend to jack up the price to make their catch look more impressive. And reporters tend to accept the information without ever checking it."

In sum, it would be hard not to agree that, as the *Times* put it in an editorial back in 1970, "the nation needs to know far more about drugs...Hysteria over the continuing drug crisis must yield to a search for hard facts."

Blurred Relationships

Editor's note: Ivan Webster, a young black journalist just arrived in New York from California, attended the recent conference on blacks in the media co-sponsored by Black Perspective and the NAACP at the New York Hilton. Following are some of his impressions:

The question that vexed the entire conference concerned, in the broadest sense, the reach of the black press. Did it cover enough, did it care enough, did it count at all in the black struggle being waged in the streets? But beneath this was the more agonizing question: why are we blacks in white media (both print and electronic) anyway? Because other blacks burned in the streets, you got a job at the *Times*. The *Times* doesn't understand your relationship to those people, nor do the people understand your relationship to the *Times*. Over and over conference members worried themselves about exactly why they were working.

The truth is that those relationships are blurred. Black newspapers are overwhelmingly local in orientation, and weeklies rather than dailies (152 weeklies, four dailies). White newspapers and magazines are concertedly national and international in their editorial concerns and in their approach to assignments. Thus, no matter where he works, the black journalist has to view the interests of his people narrowly, to keep his job, yet broadly, to keep his conscience.

The sorest question for black media men and women is the naked one of identity: who are we? The glaring irony was that most conference members worked for the white press, not the black. Which prompted the question: don't we have to relate to one another first as blacks, and then decide what our interests are as black members of the press? Eugene Jackson, of the emerging National Black Network, proposed: "We are all black. What we've got to do is begin to declare, officially, that we are about taking care of one another." "The black newspapers that succeed are those with an ideological point of view," declared C. Gerald Fraser of the *Times*, "papers like Muhammad Speaks and The Black Panther. When is the black press going to become as black nationalist oriented as the white press is white nationalist oriented?" Again, from Barbara

Lamont, "Why isn't the black press the voice of the black movement? That's what I'd like to know."

Badly as the black press needs young black journalists, the conferees sensed that the power couplings in the society demand that they not abdicate their positions in white media. Their absence, it was felt, would only make white media coverage of blacks worse. And there was general agreement that black journalists had to educate as well as inform the black reader. Advocacy journalism, for the black writer, is a stern given.

The conference made it clear that a new kind of journalism was emerging. It was going through birth pangs partly because the conference members were for the most part terribly bright; they know power doesn't come easily. They've all covered it and suffer few illusions about it, which makes their views all the more volatile and incalculable. Young black journalists like Francis Ward, Jack White and Barbara Lamont seemed, each in a distinct way, to be forging a new journalistic style—skeptical, level-headed, but always impassioned at the point power rears its head.

The black journalist's reporting, I would guess, will be more biting and less guarded in the days ahead. The printed page awes him no longer, and he feels an overwhelming desire to push words to the wall. He wants to become again the master of what he says, and, for a change, to make print itself beg for a little mercy.

'Dyke van Dick'

Late last November, WCBS-TV announced the premiere of "Woman!," a new morning show produced entirely by women, promising it would "explore the various ways in which women are artificially divided by race, marital status, social position and occupation...and the way in which they are actually united by the options, opportunities and obstacles they share in a rapidly changing social scene."

But one could have predicted that a feminist program would not have an easy time of it on commercial TV. By April, the producer, Ene Riisna, had been fired, and the program seemed indistinguishable from a variety of daytime talk shows. During the week of May 15, for example, "Woman!" featured a discussion of the theatre with one woman and three men, an all-male show about the draft and a program on interior design. Of the 17 guests that week, only four were women, two of them experts on home furnishings.

Larry Forsdick, program director for WCBS, says that Riisna was fired because of a "dispute over the management of her staff." He refused to elaborate, but he did indicate that there were other reasons for eliminating her. "When we first came on the air," he says, "we weren't really doing

what we intended to do. We started advocating a point of view. Now, a public affairs show just can't do that."

Riisna, who has a background in documentary film, says that WCBS evinced a lack of commitment right from the beginning. She was only given a few weeks to prepare the show with her inexperienced staff, and she was saddled with a hostess many felt was inappropriate for this particular job. Sherrye Henry, who has the title of "on-air editor," had previously written and delivered editorials for the Six O'Clock News. As Riisna described her in a memo written four weeks into the show...her image on screen remains didactic, hard and dull. This hard quality has wrongly been described as 'feminist,' which is quite the opposite of the case."

In the memo, Riisna also complained about the attitudes of the WCBS men. "We are frequently criticized for not smiling, not keeping our desks clean, for our 'lifestyles,' and even for such trivia as lighting our own cigarettes," she wrote. "It may indicate the depth of the resistance to say that the male 'support' staff refers to us as 'The Dyke van Dick Show,' and we are generally met with attitudes of surprise, amusement, condescension or hostility."

After having been promised that ratings would not be a major consideration for the first few months, Riisna was put under pressure just before Christmas and was ordered to change the orientation of "Woman!" by inviting more celebrities and more men. That was the direction Henry was pushing. "They [Riisna and associate producer Anselma dell'Olio] wanted a strong appeal to a limited audience," she says. "I had to take issue with that kind of restrictive programming." Nevertheless, Riisna was able to do several shows she describes as "hard-hitting" on such subjects as feminine hygiene sprays, the self-administered gynecological exam and a suggested minimum wage for housewives.

Henry and the management balked at several proposals, including the format for a show on women in the arts, and they and Riisna were never able to agree on a guest list for a discussion of the Equal Rights Amendment.

In March, management decided to replace Henry with someone whose screen image was less severe. Riisna was told to conduct auditions. "This put me in a terrible position because I still had to work with Sherrye," she says. "It was driving Sherrye up the wall," dell'Olio remarked. "As is so often the case, the women were set off against each other." By April, a new personality had not been selected, and management decided it was unwise to change stars just prior to summer re-runs. Riisna contends that Henry then insisted she leave. Both Forsdick and Henry deny that charge.

Earl Caldwell . . .

continued from page 1

that it was in 1932, in the Scottsboro Boys case, that the Supreme Court first focused upon the right of criminal defendants to have lawyers. The Court took the smallest possible bite, saying that in a capital case, a lawyer is required. It was 1963, in *Gideon v. Wainwright*, before the Court got around to extending that rule to all felony cases. The Scottsboro Boys are pushing sixty now, and in the next few weeks the Court will finish the job by deciding at what point a misdemeanor case becomes so petty that the defendant is not entitled to a lawyer.

Thus the Supreme Court, moving at what constitutional lawyers consider a reasonable pace, took forty years to develop fully how far the right to counsel reaches. With regard to freedom of the press, the Court is now about where it was before it decided the Scottsboro Boys case; it has yet to say whether the First Amendment even applies to news gathering. What Caldwell is asking the Court to do is hold that it does, and then to leap all the way over to the conclusion that a reporter need not even respond to a subpoena to the extent of entering a grand jury room, if it appears that his news-gathering capacity would be damaged. His lawyer's argument goes like this: If reporters may be subpoenaed to disclose confidential information to grand juries for use by the prosecution, many sources will stop talking to the press. If sources dry up, there will be less news to print. Therefore, press subpoenas infringe press freedom, and unless there is some compelling law enforcement reason why a particular press subpoena should be enforced, it should be barred by the First Amendment. The Justice Department, arguing that "the news media have functioned effectively and efficiently in this country for almost two hundred years without a reporter's privilege," urged the Supreme Court to give a short and simple answer: that the First Amendment does not apply to news gathering at all.

If the Court were to say that it does, the most obvious application of that principle would be to hold that a reporter cannot be forced to identify a confidential source. The next step would be to say that even when the source's identity is known or not wanted, a reporter can't be compelled to divulge confidential information. Caldwell is asking the Justices to rule that even if he had these privileges to assert within the grand jury room, if it would damage his rapport with his black militant sources for him to give secret testimony, then he cannot be required to enter the grand jury room unless the Government first demonstrates a compelling need for his testimony. That may prove too big a gulp for the straightlaced Burger Court to take, and some lawyers feel that even the Warren Court would have gagged on that one. What it does do, though, is leave ample room for the Court to disappoint Caldwell and at the same time to give its blessing to the claim that the First Amendment shields newsmen from having to disclose confidential sources or information given in confidence.

Earl Caldwell's situation is a classic study in how one individual, getting his back up, can set a national movement in motion. In 1970 there were strong political and technological reasons why the judicial system could be expected to turn increasingly to the news media for evidence, but nobody in the news business noticed it until Caldwell challenged the constitutionality of his subpoena.

The political reason was that the Government was no longer trying to convict the Ku Klux Klan and the Mafia, but was going after the radical Left. There is some truth to the prosecutors' claim that reporters had frequently volunteered information or consented to subpoenas until it was John Mitchell's boys who wanted the evidence, to use against antiwar activists and militant blacks. The reason why reporters are balking now, however, is not just that friendlier oxes are being gored. A more important reason is that the information reporters used to pass along about the Klan was invariably obtained by observation or from sources who didn't like the Klan. The evidence being subpoenaed now about the political Left has usually been given to reporters by sources in the Movement, sources who would feel betrayed by any disclosure.

The technological reasons grew out of the notoriously bad perception and short memories of most witnesses, compounded by the growing trial delays in many courts. This has brought pressure on lawyers to cast about for more reliable evidence than human testimony. About three years ago, they began to wake up to the indelible memories of television cameras and reporters' tape recorders. The current litigation over tapes made by radio station WBAI in the Manhattan House of Detention during the riots there in 1970, in which inmates recorded statements about killing people and cutting throats, seems inevitable

considering that it may take well over two years for the prosecution to get its kidnap-riot cases to trial.

In the first two-and-a-half years of the Nixon Administration, 124 subpoenas were served on the National Broadcasting Company and the Columbia Broadcasting System, plus their wholly owned stations. Some were initiated by federal and state prosecutors, others by defense counsel. Over the same period, 30 subpoenas were served on the *Sun-Times* and *Daily News*, the Chicago newspapers published by Field Enterprises, Inc., two-thirds of them on behalf of the Government. One *Sun-Times* reporter, Duane Hall, was subpoenaed to testify in eleven separate proceedings in the space of eighteen months. Sources' sensitivities aside, the bother of providing evidence has become substantial. And so the conservative *Chicago Tribune* found itself cheek-by-jowl with the ACLU as *amicus* in support of Earl Caldwell's Supreme Court appeal.

The publicity that followed Caldwell's lower court victories prompted other subpoenaed reporters to balk. Generally, Federal judges ruled for the reporters. But state court judges—who sometimes treat the First Amendment as if it were fine print in the Articles of the Confederacy—ruled almost uniformly against the newsmen's claims. That resulted in Supreme Court appeals by Paul M. Branzburg of the *Louisville Courier-Journal* and Paul Pappas of WTEV-TV in New Bedford, Mass. Branzburg, one of the few Southern reporters who has made a specialty of covering the local counter-culture, was subpoenaed to give grand jury testimony after he ran articles, complete with pictures, about the local manufacture of hashish and traffic in pot. The state courts treated this as if he had observed a bank robbery on the way to work, and despite a state law that shields reporters from having to disclose sources, ordered him to reveal the identities of the "criminals." So Branzburg's appeal gives the Supreme Court a fallback position from the Caldwell case. The Justices can say that reporters must enter grand jury rooms, but cannot be forced to disclose sources' identities.

But if the Justices should conclude that the First Amendment doesn't shield a reporter when he actually sees the source commit a crime, there is a further fallback case in the appeal of Paul Pappas. During the time when blacks were rioting in New Bedford in the summer of 1970, the Black Panthers let Pappas spend the night in their headquarters because they anticipated a police raid and wanted him to record the officers' methods on film. The agreement was no raid, no story. There was no raid,

**Joseph Albright
takes a provocative and
fascinating look at the
rise of one of America's
most controversial
politicians in**

**WHAT MAKES
SPIRO RUN ?**

**The Life and Times of Spiro Agnew
By JOSEPH ALBRIGHT
At all bookstores \$6.95
DODD, MEAD**

but the word got out that he had been there, and the state courts held he must tell the grand jury what and who he had seen and heard. The Supreme Court could use his appeal as a vehicle to declare that a reporter who has not witnessed a crime can refuse on First Amendment grounds to disclose the identities of confidential sources plus any confidential information learned from them. That would immediately become the law in every state and federal jurisdiction. This would be quite a step when one considers that as recently as 1963, Sigma Delta Chi was pushing a model state newsman's privilege law that protected only identities of sources. Fifteen states did enact such laws (Alabama, Alaska, Arizona, Arkansas, California, Illinois, Indiana, Kentucky, Louisiana, Maryland, Montana, New Jersey, New Mexico, Nevada and Ohio), and three (New York, Michigan and Pennsylvania) protected confidential information as well as sources.

Press subpoenas were so rare until a year or two ago that the impact of laws like these was never determined. The oldest (Maryland's) dates back to 1896, yet so far as the law books show, there have been only 11 instances in which these statutes were invoked by reporters. The result was that when the Nixon Administration began to go in for press subpoenas in a big way, there was no proof that this would have enough of a "chilling effect" upon news sources to substantially limit press freedom. Caldwell's lawyer had tried to prove that it would by having Walter Cronkite and other journalistic luminaries state in affidavits that they couldn't do their jobs if they could be subpoenaed. But this evidence was shaky because they were not a typical group of newsmen. Cronkite told of interviewing a Senate aide and a bartender, but the suspicion persisted that he doesn't leg it much anymore.

A group that had been formed to file an *amicus* brief in the Caldwell case, the Reporters Committee on Freedom of the Press, set out to furnish empirical proof of press subpoenas' impact by polling reporters. Vince Blasi, a law professor from the University of Michigan, made the study. He contacted more than a thousand newsmen, chosen both at random and for their special exposure to the subpoena threat. The results, sent to the Supreme Court last February, told the Justices what reporters usually admit only to their wives: that when sources cut a reporter off, it usually has nothing to do with the Justice Department, but because the sources don't like what the reporter has been writing; that some of the best

news breaks aren't the product of relentless investigation; they come in over the transom; that most news sources have an axe to grind, and even if they cut a newsman off they'll be back around after a while; that the number of newsmen who say they'll go to jail to protect a source is likely to decline if the Supreme Court clears the way for actual jail terms; and most important, that prosecutors vastly overestimate the amount of information that reporters know and do not write. A majority of news stories, it turns out, don't involve confidential sources. Of the relatively few that do, the sources tend to be the "regular" type who have a stake in the institution being covered and who are well enough known to be talkative with newsmen and therefore, seldom give out anything really damaging. The average reporter uses regular confidential sources in 33 per cent of his stories and first-time confidential sources in 12 per cent of them.

If Blasi's survey is accurate, the theory advanced by Caldwell's lawyer—that there is a special need to protect confidences where skittish blacks or an alienated sub-culture is concerned—is only half-right. Reliance upon confidential sources, it turns out, is a function of the individual reporter's technique, more than the subject matter. Younger reporters on any beat tend to use confidential sources more. But to the extent that certain beats rely more on confidential sources, investigative reporters and those who cover the government use them most, with reporters covering radical and militant groups well down the scale. Newsmen who cover minority groups appear to use confidential sources less frequently than reporters with average beats. Newsweeklies use regular confidential sources in most (32.9 per cent of their stories), followed by national television networks (25.4 per cent) and the daily newspapers (22.6 per cent).

T

The clincher was that when Blasi asked how many reporters have had a tougher time covering any story in the last 18 months because of the subpoena threat, only 8.8 per cent said yes and another 10.9 said they weren't sure. "The subpoena threat really hinders only a certain subpopulation of reporters," Blasi concluded: "For this subpopulation, which appears to be characterized as much by reporting technique as by type of beat, the subpoena possibly unmistakably has caused *some* losses of stories, and parts of stories, and opportunities for verification. Whether this

**GIVE
THIS
MAN A
SALIVA
TEST!**



"Paul Krassner ought to be in a hall for the insane," warns a review of *How a Satirical Editor Became a Yippie Conspirator in Ten Easy Years*. "He should be given periodic saliva tests to determine the severity of his affliction."

Here are a few other reactions:

JOSEPH HELLER: "Paul Krassner is a blessing to his family, a joy to his friends, a bonanza to his publisher, and a credit to his country. More than any living American who comes to mind, he deserves to be called 'a great American.' This collection of his writings from *The Realist* over the past ten years is a valuable national asset and a formidable bulwark against pollution by cant and hypocrisy. It is also great fun. Years ago, I gave subscriptions to *The Realist* as Christmas presents. I wish I could give everybody in the country a copy of this book. Maybe I will. But until I decide, you buy it now!"

GROUCHO MARX: "Thanks for the book. I am sending this card to you, because I don't know where Mr. Krassner lives. Or even if he is alive. At any rate, it's a hilarious book and I predict in time he will wind up as the only live Lenny Bruce."

KURT VONNEGUT JR.: "You are a great man. You give me hope."

TERRY SOUTHERN: "The *Realist*, where these pieces originally appeared, was the first American publication to really tell the TRUTH; I mean literally and figuratively—by ignored outlandish fact, by parable, by image, by creative hook and crook, whatever it

took—lighting the way like the proverbial kleig for the myriad counter-culture and in-depth type periodicals that followed. No doubt about it, this grand guy Paulie K. is the Bunyan of American journalism."

KEN KESEY: "A modern Yiddish masterpiece."

ED SANDERS: "Paul Krassner's book is amazing and brilliant—it puts the past into a data-array that is wonderful. It is a thrill to read it. I will now steal ideas from it."

LIBRARY JOURNAL: "The *Realist* is the best satirical magazine now being published in America."

JULIUS LESTER: "Almost singlehandedly, Paul Krassner has kept the art of satire alive in America. As with any satirist, nothing is sacred to him. Thus, one can't burden with political labels or definitions. The only one that really fits is genius, and maybe it's about time somebody said it. Thanks for being, Paul."

JOHN LENNON and YOKO ONO: "A real book by a real person! Yippie!"

The book, published by Putnam, is available in stores. Or you can send for it and subscribe to *The Realist* at the same time. We'll begin with the upcoming 13th Anniversary Issue, featuring "The Parts Left Out of the Manson Book."

In the process of investigating the Charles Manson case, Krassner met an extraordinary human, Mae Brussell, a political research analyst specializing in assassinations. As a result, *The Realist* is about to give birth to *Conspiracy Newsletter*, which will be published twice a month.

Even if Paul Revere could've been diagnosed as a raving paranoid schizophrenic, it doesn't mean the British weren't coming.

The Realist, Dept.MO, 595 Broadway, New York 10012

Enclosed please find:

- \$7 for a copy of *How a Satirical Editor Became a Yippie Conspirator in Ten Easy Years* by Paul Krassner
- \$5 for a two-year (12 issues) subscription to *The Realist* beginning with the 13th Anniversary Issue
- \$5 for a charter subscription to the first year (24 issues) of Mae Brussell's *Conspiracy Newsletter*
- \$1 for *The Last Supplement to the Whole Earth Catalog* co-edited by Ken Kesey and Paul Krassner
- \$1 for the double-issue of *The Realist* containing interviews with Ken Kesey and Leslie Bacon, plus details of Scientology's \$750,000 lawsuit against Paul Krassner for libel and conspiracy
- \$1 for an original Wally Wood *Disneyland Memorial Orgy* poster

Name _____ Apt. _____

Address _____

City _____ State _____ Zip _____

'some' is 'enough' to justify a newsman's privilege is a legal rather than empirical question."

Solicitor General Erwin N. Griswold felt that what the polled reporters told Blasi cast enough doubt about the chilling effect of press subpoenas to prompt him to quote key findings from the Blasi report during the Supreme Court arguments. The report was not officially before the Court as evidence, but once Griswold broached the subject, Caldwell's lawyer was free to elaborate on it. The lawyer, Prof. Anthony Amsterdam of Stanford Law School, pounced on the subject and threw back at Griswold Blasi's conclusion that "a Supreme Court declaration that the First Amendment is in no wise abridged by the practice of subpoenaing reporters would set off a wave of anxiety among sources."

Blasi found two factors which he thought called for a newsman's privilege, and the general candor of the reporters' survey gave these findings additional force. The first is that reporters normally don't have much to tell grand juries anyway, and prosecutors can almost always get indictments through other means. The second is that the publicity given to Caldwell's lower court victories has done much to free the flow of information, and that a Supreme Court declaration that newsmen can be compelled to reveal their sources would be a devastating blow to journalism. The first point appears to have been verified by John Mitchell's own Justice Department. It has now been almost two years since Mitchell, who genuinely wanted to cut down on press subpoenas, issued guidelines designed to sift out unnecessary ones. These required Government lawyers to first try non-press sources, then negotiation with newsmen, and finally obtain the express authorization of the Attorney General before subpoenaing a newsman. The result: following the press subpoena binge that led up to the guidelines' publication in August, 1970, the Justice Department has since subpoenaed only two people it considered to be journalists. In two other instances involving an underground press freelancer and contributors to the Black Panther newspaper, subpoenaed individuals are currently litigating, claiming to be journalists.

What all this suggests is that if the Supreme Court rules that reporters cannot be made to disclose confidential information to grand juries unless the prosecution can demonstrate a compelling need for the testimony, the practical effect will be to greatly reduce the number of press subpoenas. In most instances, it would not be worth the prosecutor's or defense lawyer's trouble. Moreover, new Constitutional doctrines tend to spread, and the same protection would probably be quickly extended to legislative committees, administrative hearings, and criminal and civil trials.

Does this mean that everyone would be happy but Earl Caldwell, who would be in jail? If the Supreme Court were to make it clear that he could not be made to disclose confidences, Caldwell might be willing to enter the grand jury room to authenticate his articles about the Black Panthers. In recent months courts have begun to lift some of the secrecy from grand jury questioning, so that a witness now has ways of assuring people that he did not incriminate them. The Government has also cooled on its campaign against the Black Panthers, and may not think it worthwhile to go another round with Caldwell.

Finally, the Supreme Court could reject Caldwell's First Amendment plea, yet he could still win his appeal on an ironic technicality—the fact that he has not had the benefit of having his subpoena tested by former Attorney General Mitchell's guidelines. In some past instances, the Supreme Court has remanded cases back to the trial level, instructing the judge to give the defendant the benefits of new administrative protections that came into being since his trial. In this case, it would mean that Earl Caldwell would get the retroactive benefit of the "Caldwell principle," as embodied in Mitchell's guidelines. The result could well be that the Justice Department would be barred from subpoenaing Earl Caldwell again, because the Government would first have to prove that it really needed his testimony in the first place.

[HELLBOX]

continued from page 2

replied: "If I did not agree with management's right to declare itself on the nature of my editing of this magazine, I would be long gone from here."

Lennon's Lament

Woman is the nigger of the world. Think about it.
Do something about it.

It may never become the anthem of the women's movement, but John Lennon's new Apple release was meant, he said in a Los Angeles Free Press interview, to be taken as an "honest statement" in support of feminism. For the time being, at least, few radio listeners are getting the message because "Woman is the Nigger of the World" isn't getting aired. Peter Bennett, of Apple's promotion department, says that WCLF-AM in Chicago is the sole top (number one in its market) station playing the song. In New York City, for example, the only outlet for the record has been the listener-supported WBAI-FM. (For some reason, it is doing slightly better on the West Coast.)

According to Bennett, the stations are afraid to offend their listeners, particularly blacks, who purportedly object to the use of the word "nigger" by a white singer. That view was confirmed by WABC-AM, which went to the trouble of gathering together a "mixed advisory committee." "They turned it down unanimously," says program director Rick Sklar. "They were infuriated, incensed and highly charged." Yet when the record was played for a talk-show audience on WMCA, it was the white rather than the black listeners who were offended.

Lennon credits the controversial line to his wife Yoko Ono, with whom he wrote the song. In its current usage, they maintain, the word "nigger" refers to all exploited peoples. Apparently, they are so enthusiastic about their song that Apple is trying a novel tactic to get it played. The company will attempt to buy commercial time during which the entire four-minute recording would be heard.

Stop the Presses

The Boston Globe found itself in an embarrassing position recently when it made national news with an "exclusive" story it had actually lifted from the pages of Harper's magazine. On May 17, the paper reported that Patrick J. Buchanan, a close advisor to President Nixon, had authenticated a 1970 memo in which he had counseled that racial integration of

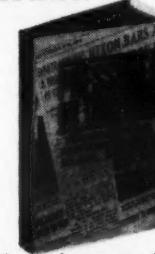
WHAT'S WRONG WITH THE MEDIA?

There's plenty, according to these two new books.
But nothing that can't be fixed.



James Keogh—former Chief of the White House Research and Writing Staff and a veteran newsmen—"charges major elements of the American press, including the TV networks, with a deliberate, pervasive, and persistent bias against the Nixon administration."

He names names—some pretty big ones: Jack Anderson, Marquis Childs, Tom Wicker, Nicholas von Hoffman. The editorial staffs of *Time* and *Newsweek*. Many television news analysts.



Should we have media review boards?

Hillier Kriegbaum says yes in his "witty, good tempered, coolly critical, and hopefully confident" inquiry into the press.

"Nothing could be more timely or pertinent to the basic issue of the role of the press in modern society than Professor Kriegbaum's first-class study." —Harrison Salisbury

*Prof. J. Edward Gerald, University of Minnesota, School of Journalism
\$6.95

"A powerful exposé of the inbred, conformist mentality of the liberal media.... Ignore his report at your peril." —Edith Efron
*James J. Kilpatrick \$6.95

PRESIDENT NIXON AND THE PRESS
by James Keogh
A Funk & Wagnalls Book

PRESSURES ON THE PRESS
why the mass media don't always give the full news... and what can be done about it
by Hillier Kriegbaum
A Thomas Y. Crowell Company Book

At your bookstore, or order from
THOMAS Y. CROWELL COMPANY or FUNK & WAGNALLS
666 Fifth Avenue, New York, N.Y. 10019
Please use separate order forms for each company.

the schools was an unworkable and unpopular policy. "The second era of Re-Construction is over," Buchanan had written, "the ship of Integration is going down; it is not our ship; it belongs to national liberalism—and we cannot salvage it; and we ought not to be aboard." The page-one *Globe* story was written by Washington correspondent Martin Nolan, who apparently had never intended to give the impression that he'd exerted himself to get the memo, which the paper reproduced. Instead, Nolan freely admits that he saw it in his advance copy of the June *Harper's*.

That point was obscured in his story by the statement that, "The memo, which has been obtained by the *Globe* and appears in today's editions, will also appear in next month's issue of *Harper's* magazine." According to Matthew Storin, metropolitan editor of the *Globe*, the sentence had been written by a misguided copy editor who thought he was working with a big scoop. Unfortunately, the mistake was not corrected in later editions, and the piece was picked up by The Associated Press. The AP dispatch, which lead with, "The Boston *Globe* said today . . ." failed to mention *Harper's* and David Andelman, The New York Times reporter who had provided the memo to the magazine, until the fifth paragraph. The AP managed to pick up the copy editor's erroneous sentence and then continued to give the distinct impression ("the newspaper said . . ." etc.) that the *Globe* had scored a coup which even Jack Anderson could admire.

By May 17, of course, the June *Harper's* had already been on the stands for several days.

Hartford Censorship

The tightly-knit power structure of Hartford, Conn., has seldom been threatened by unfettered journalistic enterprise, but city fathers can rest even easier now as a result of recent events at the *Hartford Times*. On April 25, the paper lost three of its better young reporters, when they collectively resigned in protest over the way their stories had been treated. Each of the three—George O'Brien, Hank Pierson and Tom Breen—has his own tale of frustration, but they all contend that their major problems began a few months ago with the hiring of a domineering metropolitan editor, Jim Lynch, who hoped to put the Gannett-owned *Times* ahead of its rival, the *Courant*, by concocting sensational exposés.

O'Brien had been asked to produce one of these—a series supporting the editors' theory that certain businessmen and public officials had plotted the removal of a contractor who had been working on a large housing project in North Hartford. "I came up with a lot of circumstantial evidence, but I couldn't prove a conspiracy," says O'Brien. Unable to persuade the overzealous Lynch that he needed more time, O'Brien nevertheless managed to extract the promise that the stories would be presented in a "subdued fashion." On April 24, O'Brien was stunned to find that his first article—which described the original contractor's impressive record without explaining why he was ousted—appeared on page one under the headline, POWER PLAY TO SWITCH CONTRACTORS. As O'Brien could have predicted, that afternoon, representatives of Hartford's financial community visited the *Times* to complain. It was O'Brien's day-off, and he was never informed about what was said at the meeting. Instead, he was ordered to write what amounted to a retraction—a puff piece about the new contractor. The second and third parts of his series have never appeared.

Hank Pierson's case against the *Times* concerns a four-part series he wrote about two state agencies, the Connecticut Development Commission (CDC) and the Connecticut Industrial Buildings Commission (CIBC). His investigation had revealed corrupt practices on the part of the CDC, which was on the verge of absorbing the CIBC through a bill then pending in the state legislature. Without prior warning to Pierson, the paper chose to run only two of the stories—those, in fact, which made the CIBC look bad. Without the remaining parts, the series lacked the perspective that would have shown how the CDC abused the other agency. The bill then passed, giving the CDC even more power than it had previously. "The villain came out the hero," says Pierson.

On another occasion, Lynch had sent Breen out to follow up a tip (in the form of a letter from a disgruntled city official about to lose his job) that the reorganization of the state's Department of Motor Vehicles was a patronage scandal. Breen, a three-and-a-half-year veteran of the *Times*, reported back that the reorganization move was actually a sound one and that he therefore had no meat for an expose. Lynch wasn't satisfied. The paper had to have a big story. He told Breen to type out a couple of pages of notes and agreed to discuss the matter further. Before any such discussion took place, the paper ran a fabricated "charge-and-counter-charge" story in which the department head was made to answer

the accusations of the former official. Furthermore, both the "allegations" and the "rebuttal" were falsely said to have been issued the day the story ran.

It would be interesting to hear the *Times'* explanation of these incidents, but nobody is talking. A terse "we don't comment on reporters who have resigned" was all we could get from managing editor Bill Pike.

Correction

In John McCormally's article on the Pulitzer Prizes in our May issue, William Jones, who won a prize in 1971 for his exposé of ambulance service abuses in the *Chicago Tribune*, was mistakenly identified as William James. Our apologies.

[LETTERS]

The "Metropolitan Seven"

You folks have decided to take the high ground and that's fine. Journalism needs you and more like you. But when you take the high ground, you have an obligation to get to the heart of what you yourselves write about. When you wrote (May, 1972) about *The Washington Post's* Metropolitan Eight (at first it was nine, then it was eight and now it is seven), you didn't get there.

The heart of the story is that nine brave young black people—at considerable risk to themselves—started a train of events that may drastically change the face of American journalism and seven of them are carrying it through. The human interest is their anger, their agony, their uneasiness and their courage in deciding to do what they are doing and carrying it off. But, with one exception, you didn't even give their names which are: Penny Mickelbury, Richard Prince, Leon Dash, Michael Hodge, Ivan Brandon, Ronald Taylor and LaBarbara Bowman.

And the story is really badly skewed in another important respect. It mentions me about eight times. Now, as much as I like to see my name in print, I am just not the heart of the story of the Metropolitan Seven. They are. At one point you have me storming into the newsroom. I

White Knight THE RISE OF SPIRO AGNEW

by Jules Witcover

"A superb biography . . . one of the best."
—United Press

"A book Agnew will have to live with down through history . . . Jules Witcover hounds out all the details of Agnew's spotty, self-righteous, opportunistic rise to power."—GARRY WILLIS, *Life*

"Mr. Witcover is a savvy political reporter blessed with both an instinct for the jugular and a gift for knitting together a compelling narrative from a complex tangle of details."—CHRISTOPHER LEHMANN-HAUPT, *New York Times*



\$10, now at your bookstore
RANDOM HOUSE

don't storm into newsrooms—being still in my six-month probationary period, I creep through them deferentially.

Finally, you attribute to me the authorship of the letter of support for the seven. Maybe I did have something to do with the conception, but nobody who knows anything about *The Washington Post* could have any doubt that the phrase, "participation in the writing of the story of America," was authored by anyone but Robert C. Maynard.

—Roger Wilkins
The Washington Post
Washington, D.C.

Bob Kuttner replies: After a conversation with Roger Wilkins about his letter, I think I understand his concern that he was erroneously portrayed as a central character in the dispute at the *Post*. It was certainly never my intention to have him "upstage" the group of young metropolitan reporters, and I still feel that my story taken as a whole did not leave that impression. Admittedly, matters would have been even clearer if the piece had included all of the names, and I am pleased to have him correct that inadvertence. On the other specifics:

The group began as nine, and during most of the discussions with management numbered eight. Seven of the eight ultimately signed the complaint. "Storming" probably was overstating it. Mr. Wilkins did corroborate my original source to the effect that he had been quite upset over the *Post's* busing story. On the support letter, Mr. Wilkins confirmed to me that he had originated the idea. Another source told me that Mr. Wilkins had also drafted the letter. I therefore assumed that he was the author of the sentence I quoted.

Finally, Roger Wilkins found himself in my story because two of the incidents in which he figured seemed to capture the broader dilemmas of journalism and racism I was writing about. I quoted him because he was kind enough to discuss his view of the *Post* situation and his observations were particularly germane.

RETURN TO:
(MORE)
P.O. BOX 2971
GRAND CENTRAL STATION
NEW YORK, N.Y. 10017

COPY _____

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

BOX RETURNS
AND MAIL TO ME

NO. OF ISSUES
TO RUN _____

Are you seeking employment, or looking for a different kind of job, do you have a manuscript you want to sell, or a newspaper you want to buy, or do you need a new editor or young reporter? Want to exchange ideas with others in journalism or publishing?

Take advantage of this SPECIAL INTRODUCTORY OFFER... send us your classified advertisement and we will run it FREE in an extra issue for each issue you buy.

Rates: 25c per word paid in advance.

[CLASSIFIEDS]

PEOPLE

Some of us want (MORE) change. Do you want to read about it or do something about it? The 12th Congressional District in California is Steinbeck Country—Monterey, Salinas, lettuce, Chicanos, UPWOC, Cesar Chavez. It has changed—but not politically—since Steinbeck. We have been represented in Congress for ten long years by Republican Burt Talcott whose law firm represents the growers. His record delights the Birchers. Our Candidate will represent the people, all of them, not the special interests. Julian Camacho, one of 13 children of a migrant family, worked in the fields as a kid. Now an industrial engineer, aged 35 with 10 years experience in industry, Julian was chosen one of five outstanding young men in California by the Jaycees in 1970 for his leadership in community activity. He is Chairman of the Salinas Valley Huelga Committee. He resigned from the Santa Cruz County Draft Board as a protest against the war. Want to know more? Write us. We will send Talcott's record and Julian's position or issues we think important. The people Steinbeck wrote about are still here—and not much better off. They deserve better representation in Congress—and so do you. Send us a check. Camacho for Congress (Democrat), P.O. Box 706, Soquel, Cal. 95073. This ad placed and paid for by James D. Bell, 9 South Circle Dr., Santa Cruz, Cal. 95060. (7)

JOB WANTED

EXPERIENCED NEWS DESK, Rewrite, Columns. Want part time on small northern ambitious paper. Salary Unimportant. (7)

IMMEDIATE opening for EXPERIENCED reporter, new bright aggressive weekly tab in Hawaii, share the fun and poverty (\$170 wk). Resume & samples to Box 938, Lahaina Maui Hawaii 96761. (7)

LAWYER-WRITER. Rapidly growing newsletter publishing company needs writer with ability to turn legal material into good businessman's English. Excellent salary. Write to: BUSINESSMAN & THE LAW, 799 Broadway, N.Y.C. 10003 (Bar Member not necessary) (7)

ARMY VET, BSJ, MA, seeks start on newspaper or magazine as reporter-photographer. Write Daniel Amon, 7875 Ridge Rd., Parma, Ohio, 44129. (7)

WRITERS

WRITERS-Blockbuster pay for blockbuster articles, series, books. Details \$2.00 (refundable) Apartado 540-M, Cuernavaca, Morelos, Mexico.

RESEARCH, WRITING, REWRITING, EDITING. Ferrari MSS, 123 W. 13 St., New York City 10011. (5)

FOR SALE

WRY IDEAS—catalog, 25c (deductible from first order). Wry Idea Co., Box 178-Z, Rye, N.Y. 10580. (7)

PUBLICATIONS

US—CHINA—VIETNAM 1971 We stock the largest selection of books from and about China and Vietnam in the US—all the works of Mao Tse-tung in English (and in Chinese), Ho Chi Minh's Prison Diary, albums, histories, children's books, political documents—from Peking & Hanoi & US publishers. Subscriptions: Peking Review \$4, Vietnam Courier \$9.50. Free catalog listing 1000 titles. Dept. M CHINA BOOKS & PERIODICALS, 2929 24th Street, San Francisco, Ca. 94110 and 95 Fifth Ave., NY 10003 (5)

THE UNSATISFIED MAN, Colorado's journalism review. \$6./year, or write for free sample. Dept. M, Box 18470, Denver, Colo. 80218. (5)

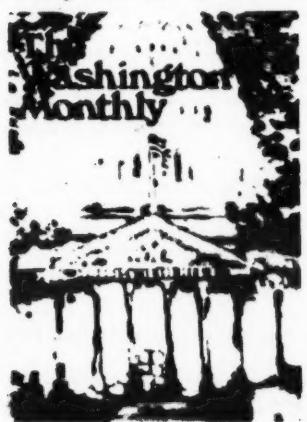
AREAS OF CONCERN. Independent newsletter for concerned people. Sample free. AOC (Dept. M), PO Box 429, Bryn Mawr, Pa. 19010 (5)

BOOK PRINTING ON A BUDGET. Paperback, cloth. Free details, GRAPHICOPY, Box 285M, Floral Park, N.Y. 11001. (5)

HEADSTART—DAY CARE NEWSLETTER \$1.50—10 issues. Head Start, Arnold House, U Mass, Amherst, Ma. 01002 (5)

What do I.F. Stone, Richard Rovere, Nicholas von Hoffman and Richard Nixon know that you don't know?

They know what's in **The Washington Monthly**.



Richard Rovere says it's "the best thing of its kind in American life today." Nicholas von Hoffman says "it does its specialty—federal government and politics—better than any other magazine around." I. F. Stone says it's "outstanding... responsible... doesn't go in for half-assed hysterics." (Richard Nixon hasn't actually

commented, but Time says it's "must reading at the White house," and that's good enough for us.)

The more you know what's going on in Washington, the better chance you have. And if you take advantage of the special offer below, you'll have an opportunity to catch up with Nixon, Stone, and von Hoffman. You'll get a free copy of *Inside the System*—containing some of the best articles you've missed—and a seven-month subscription to **The Washington Monthly**. A \$10.50 total value for only \$5.00.

The Washington Monthly

1150 Connecticut Ave. N.W. Washington, D.C. 20036

Please enter a seven-month subscription for me and, upon payment, send my free copy of *Inside the System*—a total \$10.50 value—for only \$5.00.

Name _____

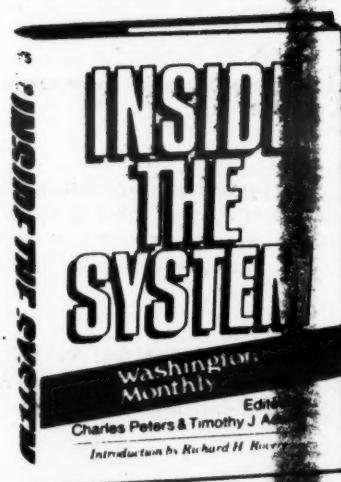
Address _____

City _____ State _____ Zip _____

Payment enclosed

Bill me

m-12



Support Your

Murray Kempton: A Visit to 'The 51st State'

(MORE)

A Journalism Review

The WBAI Case:
A Prison Diary

Boston TV Sagas:
WHDH Off the Air

Also: Mad Predictions;
Selling Strip Mining



April 1972
78c

Notes From The Belly of The Whale

BY ERNEST DUNBAR

"God, it sure is good to meet so many black reporters!" Yia Elkins told me last month in a glimmer of warmth in a Holiday Inn in the "white man's zone" at the National Black Political Convention in Gary, Ind. Yia is 25, black, tall and beautiful, with a Plains-style accent that is nowhere near to the Easterner or. She is tall, with a look-into-the-camera directions. The kind of big-boned chick who, if you got into an argument with her, might knock you down and kiss your ass over and over again. Like most of the only black reporters on the Tote Train, she is trying to make the kind of compromises that go well-being the black press on a white publication anywhere.

We rapped in the hospitality suite, provided by Black Express, a Black-owned national business, mostly based in New York; concerned offices in the room were the news bureaus and newsrooms of big state departments, the newsmen's desks and radio, along with representatives from black newspapers and magazines. Black as prose and super-bright Off in Tulsa. Yia meets few black reporters, though she is visibly pleased on the following that provides when the media "should" get together. True, there are not that many of the whale, we need all the psychological reassurance we can get.

I know something of the "changes" Yia is going through. I was Look's first Black editorial employee in 1954, and its first black writer in 1960. Ten years went by before another black writer, George Goodman, leaped onto the scene. And then came the first female black writer, that was the total two, in the Look corridors, ad salesmen would sometimes call George an "Erin" and to this day, through some postal origins I'll never understand, mail for Goodman occasionally is placed in my mailbox. At home!

Whether he's in Tulsa or Terriyow, Waco or Washington, the black reporter is seldom off the firing line. If he works for Washington media, he is between the shaft and the sleeve, hemmed in by blacks for cooperating with the harshly oppressive. Sponsored by white news executives who see the black as a racial threat, or, more accurately, if he works for black media, he is a dependency, overworked and still not removed from his office antagonism to advertising and political pressures.

The black reporter in white media is in the most critical situation. Most have been hired within the past seven or eight years, long after most white media had integrated their staffs. In addition, many of his white counterparts are not prepared to believe in what he is supposed to deal accurately and fairly with the information he obtains. It means that

continued on page 151

conscience or his objectivity. Sometimes he is asked, as I have been, "If you are covering a black, white citizens have no right to be black—the objective?" The obvious answer is, of course, "How can you—a white—be objective in such a situation?" Usually, the term "objective" is synonymous with "white." The racial unrest of the 1960's and the will of hostility met by white reporters in the black ghettos, plus the National Commission's criticism of the media's role in the riots, has caused many reporters and television and radio stations to go silent and get themselves a black or red. Prior to the middle '60's, blacks were almost as scarce in white city rooms as planes in concert.

Today black reporters still are being hired but the barriers have merely become more subtle and a few places. Black staffers are usually passed up for foreign assignments, desk slots, news executive jobs, or for the higher reaches of reporting such as national correspondents or Washington bureaus. Media executives will feed you all kinds of garbage about black "inexperience" or lack of sources when they know you can do no better than back up your stories with solid leads. And blacks are still very underemployed in metropolitan papers, though these papers service communities with large black populations (see here, page 151).

In short, black reporters are still on the ground, still dealing with institutional racism and a massive bias in an indifferent daily offers either nameless or others' names. We are one of different ideological "tags," some of us wedged to "advocacy journalism," some of us schooled in the "objectivity" tradition that journalism schools taught but that the media never practiced, all of us writers in a profession that keeps us from being a counterculture group. And we are the ones who have to. We have our own differences, some black newsmen believe that they should only cover "black news," arguing that most white reporters lack both the insight and the empathy to write fairly about blacks; others of which I am one) would argue about anything that's a story since everyone is affected by it. Whether or not the black reporter is the best black reporter is supposed to cover the black community because their editors assign them these. What does this mean for the black newsmen? It means he must be able to go into the black community which has every reason in the world to distrust any ordinary form of white journalism—whether his editor is black and comes from the same state or he is supposed to deal accurately and fairly with the information he obtains. It means that

Counter-Convention Issues

(MORE)

A Journalism Review

Conflict Of Interest
In The City Room
Confessions Of A
Politician Jester
Fighting Soviet Ads;
Bart Powers & Automation



May
1972
78c

Taking Our Cue From Joe

BY L. ARTHUR LINDLING

When we decided to name our Counter-Convention issue A. J. Liebling, we were not sure the name would definitely fit in somewhere throughout the book. We were wrong. For many of our younger colleagues, it appears Liebling has long since passed into hallowed history along with his friends, Whiting Starnes, Maxwell C. Shantz and Colman D. Shatz. "Why is the title 'Counter-Convention'?" asked one of our younger reporters. "Because a journalist selected down both sides leaves for each independent referendum." "Dear Mr. Liebling," So perhaps the title has come to encompass Abbie Joseph Liebling (1905-1963), *The New Yorker's* pre-eminent, preeminent, leading writer, war correspondent, labor reporter, humorist, novelist, poet, playwright, and author of *Reds* and *Reds Again*.

Trying to explain his Liebling, the name seems to be an adjective. For the word yields a metaphor or simile like Liebling. The *New York Times*, he once wrote, "is in many respects a sound newspaper while the transmission name of which can only occasionally discern the personal qualities of its editor." The *Times* is a good paper, the editor is a good editor, and of good men are good, kindly. The editor writes a pleasant profile. "The press chooses for decoration of main prizes in 1968 was Liebling in the Great Gatsby, Souther for "the inefficiencies, lapsing and cringing of editorial culture for most." Writing of Howard Charles' struggle to keep his job, Liebling writes, "He was a man who had to live with a sense of violence in his life like ice on a glacier." And how he to him who handled Liebling a ready-made metaphor, for he would surely get it dropped back in his face like a wet matchstick, as Anthony Sampson found out when Liebling reviewed his "Anatomy of Behavior" that time. "In contrast his lecture to his son, the editor had to live with a sense of violence in his life like ice on a glacier. It is as if he is offered for demonstration a lady lacking the left hand, the stomach, the pancreas, the other endocrine glands, the second and third vertebrae and—just for the hell of it—the nose, the right kidney, both testicles, and the middle elongated, curved breasts and both ovaries."

When any newspaper search was needed, I could do no better than cite critic Joseph Epstein who, in a retrospective review (1953-5), Howard was cutting come sharply then and Liebling recalled that his salary had cut twenty percent in eight years. "I think it was \$75 a week." On this note, he had to be identified and try to get adequate care for his first wife, who spent most of those years in mental institutions. "This took the caravans, juvenile jolty out of journalism for me definitely," he wrote.

"It taught me that society is divided, not into newspaper people and non-newspaper people, but into two classes of people: the rich and the poor. I did not belong to a popular, independent professional group including me and Roy Howard, but to a section of society including me and my florist at Macy's. Mr. Howard, even though he asked to be called Roy, belonged in a section that included him and the girl who owned Macy's. This classifies me as a member of the upper class, the rich, the successful and aristocratic." In 1941, Liebling got his revenge in an unusually-long, four-part profile detailing Howard's use of his column to defend his own tax loopholes, his personal extravagance but frugality where his employees

(continued on page 18)

Journalism Review

(MORE) P.O. Box 2971, Grand Central Station
New York, N.Y. 10017

Please enter my subscription to [MORE] at the

- Lifetime Subscription Rate: \$200
- Sustaining Subscription Rate: \$100
- Special Charter Subscription Rate,
2 Years, 24 Issues, \$12.00 (newsstand: \$18.00)
- 1 Year, 12 Issues, \$7.50 (newsstand: \$9.00)
- 3 Years, 36 Issues, \$17.00 (newsstand: \$27.00)

Check enclosed Bill me

Name _____
Address _____
City _____ State _____ Zip _____

(MORE) P.O. Box 2971, Grand Central Station
New York, N.Y. 10017

Please enter my subscription to [MORE] at the

- Lifetime Subscription Rate: \$200
- Sustaining Subscription Rate: \$100
- Special Charter Subscription Rate,
2 Years, 24 Issues, \$12.00 (newsstand: \$18.00)
- 1 Year, 12 Issues, \$7.50 (newsstand: \$9.00)
- 3 Years, 36 Issues, \$17.00 (newsstand: \$27.00)

Check enclosed Bill me

Name _____
Address _____
City _____ State _____ Zip _____

(MORE) P.O. Box 2971, Grand Central Station
New York, N.Y. 10017

Please enter my subscription to [MORE] at the

- Lifetime Subscription Rate: \$200
- Sustaining Subscription Rate: \$100
- Special Charter Subscription Rate,
2 Years, 24 Issues, \$12.00 (newsstand: \$18.00)
- 1 Year, 12 Issues, \$7.50 (newsstand: \$9.00)
- 3 Years, 36 Issues, \$17.00 (newsstand: \$27.00)

Check enclosed Bill me

Name _____
Address _____
City _____ State _____ Zip _____

(MORE) P.O. Box 2971, Grand Central Station
New York, N.Y. 10017

Please enter my subscription to [MORE] at the

- Lifetime Subscription Rate: \$200
- Sustaining Subscription Rate: \$100
- Special Charter Subscription Rate,
2 Years, 24 Issues, \$12.00 (newsstand: \$18.00)
- 1 Year, 12 Issues, \$7.50 (newsstand: \$9.00)
- 3 Years, 36 Issues, \$17.00 (newsstand: \$27.00)

Check enclosed Bill me

Name _____
Address _____
City _____ State _____ Zip _____